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DEPARTMENT OF THE NAVY

REGIONAL CONTRACTING DEPARTMENT
NAVSUP FLEET LOGISTICS CENTER PUGET SOUND
467 W STREET
BREMERTON, WASHINGTON 98314-5120

CONTROL NUMBER 2015-52

N00406-14-P-5359

JUSTIFICATION AND APPROVAL FOR SOLE SOURCE PROCUREMENT Under Commercial Item Test Program FAR 13.5

1. Contracting Activity.

NAVSUP Fleet Logistics Center Puget Sound (FLCPS)

2. Description of Action Being Approved.

Modification of contract to add 6 additional months with 3 each 2 month option periods to lease 7 Stryker medical towers and consumables in the emergency room in support of USNH Okinawa, Japan. (b) (5) of FY15 O&M,N funds have been provided for the 1st month and (b) (5) of FY16 O&M,N funds have been provided for the next 5 months. If all options are exercised the total contract would increase by (b) (5)

Manufacturer: Stryker
Company: American Medical Depot (AMD)
Address: 10315 USA Today Way, Miramar, FL 33025
Phone Number: (305) 364-0888 x 6783

3. Description of Supplies/Services.

The 7 Stryker towers have multiple components and accessories, for use by various surgical services (General Surgery, Orthopedic Surgery, Urology, Gynecology, and Otolaryngology). The video towers serve to provide continuous arthroscopic, laparoscopic, and endoscopic surgical capabilities inside various emergency rooms at USNH Okinawa, Japan.

Reason for Bridge Contract: The existing lease contract requires extension to allow for a contracting action to procure and delivery surgical equipment to USNH Okinawa. The requirement is for a variety of surgical instruments, tools, and equipment utilized in the OR by a number of surgical specialties. The requirement encompasses the

majority of surgical equipment utilized by USNH Okinawa. The follow-on contract to the medical equipment lease was protested by the incumbent due to the equipment being offered by the awardee is not the equal to the incumbent's equipment. Corrective action was taken by cancelling the contract and turning it over to NAVMEDLOGCOM where they are re-soliciting for the Government's minimum requirement. The procurement was turned over to NAVMEDLOGCOM in December 2014 and the award has not yet been made.

The requirement was not sufficiently defined at time of original renewal contract; therefore, additional time was required to work with the site and establish minimum requirements for the new procurement. This, along with Defense Logistics Agency - Troop Support's (DLA-TS) workload and procurement action lead time, resulted in the expected award date of the new contract to be close to the end of FY15 via ECAT.

4. **Statutory Authority Permitting Sole Source.**

41 U.S.C. 1901 - a sole source acquisition under the authority of the test program for commercial items, as implemented by FAR 13.501(a).

5. **Rationale Justifying Use of Cited Statutory Authority.**

The 7 medical towers are currently leased under contract #N00406-14-P-5359 to AMD. A contract was awarded to Karl Storz (N00406-15-P-0469), however; that contract was terminated due to a protest by AMD. The new medical equipment will now be purchased instead of leased and NAVMEDLOGCOM took over the procurement. This bridge modification is needed to keep the medical towers in USNH Okinawa until the new equipment is delivered, set up, and ready for use. The customer cannot operate the emergency room without the medical towers currently in USNH Okinawa, Japan.

The current bridge contract will expire on 28 September 2015, it is necessary to maintain the hospital's current surgical capabilities with no lapse in services. The additional 6-12 months will provide continuity of services and capabilities without disruption to patient care and surgical services.

The medical towers require specific accessories and consumable items. Currently supplies and inventory are compatible with the equipment leased. As part of the bridge, it is vital to maintain current equipment, accessories, and consumables in order to maintain consistency with user knowledge, compatibility with inventory stores, and prevent any service disruption due to a change in equipment.

The requirement was not sufficiently defined at time of original renewal contract; therefore, additional time was required to work with the site and establish minimum requirements for the new procurement. This, along with Defense Logistics Agency - Troop Support's (DLA-TS) workload and procurement action lead time, resulted in the expected award date of the new contract to be close to the end of FY15 via ECAT.

Due to the nature of the surgical equipment, the hospital in Okinawa cannot be without this equipment. Therefore a bridge contract is required to allow the equipment to remain in the operating rooms until a follow-on contract can be awarded and the new towers delivered and installed.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable.

The procurement of new medical towers will be competed.

7. Determination of Fair and Reasonable Cost.

The contracting officer has determined the anticipated cost to the Government of the supplies/services covered by this J&A will be fair and reasonable.

8. Actions to Remove Barriers to Future Competition.

NAVMEDLOGCOM is competing the procurement for the purchase of similar/same medical towers.

9. Contracting Point of Contact.

The contracting points of contact for this contract are Tyler Mayfield, NAVSUP FLC Puget Sound Contracting Officer, 360-476-7806, tyler.mayfield@navy.mil.

CERTIFICATIONS AND APPROVALS

CONTRACT SPECIALIST/NEGOTIATOR (NAVSUPINST 4200.83G)

(b) (6)

TYLER MAYFIELD 360.476.7806 9/26/15
Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(a)(12) & 6.304(a)(1))

I certify that this justification is accurate and complete to the best of my knowledge and belief.

(b) (6)

AUSTIN CARTER 360-476-0844 9/26/15
Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303-90, NAVSUPINST 4200.83G & 5801.1)

I have determined this justification is legally sufficient.

(b) (6)

Chris Lybeck 360-476-2939 9/28/15
Name (Printed) Phone No. Date

APPROVAL REQUIRED BY FAR 13.501(a)(2)(i) thru (iv)

Upon the basis of the above justification, I hereby approve, the solicitation of the proposed procurement(s) described herein using other than full and open competition under the authority of the test program for commercial items (section 4202 of the Clinger-Cohen Act of 1996) or the authority of the Services Acquisition Reform Act of 2003 (41 U.S.C. 428a).

Signature Name (Printed) Phone No. Date

FLCPS Contracting Officer (</=\$650K)
FLCPS Competition Advocate (>\$650K, </=\$6.5M)

CERTIFICATIONS AND APPROVALS

TECHNICAL / REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance which are included in this justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief and do not contain classified information.

TECHNICAL COGNIZANCE

(b) (6)	Megumi Tsuchiy-Quinn	315-646-7375	25 Sep 2015
Signature	Name (Printed)	Phone No.	Date

REQUIREMENTS COGNIZANCE

(b) (6)	Megumi Tsuchiya-Quinn	315-646-7375	25 Sep 2015
Signature	Name (Printed)	Phone No.	Date

(Note that this page includes certification that the acquisition planning documents are complete and accurate.)

(If a single individual has cognizance over both technical and requirements information included in the J&A, the individual may sign both signature blocks.)