

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY: This is a Justification for an Exception to Fair Opportunity in accordance with FAR 16.505(b)(2)(i)(B). The Naval Medical Logistics Command, acting on behalf of Expeditionary Medical Logistics Program, intends to award a delivery order against Defense Logistics Agency (DLA) Troop Support Indefinite Delivery, Indefinite Quantity (IDIQ) contract SPM2D1-09-D-8321.

2. NATURE/DESCRIPTION OF THE ACTION/CONTRACT TYPE: The Government intends on awarding a Firm Fixed Price delivery order for a field deployable radiographic unit manufactured by Philips Medical Systems, 22100 Bothell Everett Highway, PO Box 3003, Bothell, WA 98041-3303.

3. DESCRIPTION OF REQUIRED SUPPLIES/SERVICES: The Expeditionary Medical Logistics Program has a requirement for a complete radiographic system that is capable of being used in an austere field environment. The unit shall be capable of acquiring radiographic images and by using radiographic imaging plates, transfer those images to a radiographic imaging system. The unit shall be compatible with the installed base of field deployable radiographic units currently being used by both the US Navy and US Army. [REDACTED]

4. IDENTIFICATION OF THE EXCEPTION TO FAIR OPPORTUNITY: The statutory authority exception to the fair opportunity process is implemented by 10 U.S.C 2304(c)(1) and FAR 16.505(b)(2)(i)(B), only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized.

Philips Medical Systems is the only vendor that can meet the minimum requirements of the government and is the sole manufacturer and reseller of a field deployable radiographic unit that is specifically designed to fit into the tight constraints of the US Navy and US Army deployable shelters. [REDACTED]

[REDACTED] The design of the X-Ray system has a special shock prevention system to prevent possible environmental shock damage to the parts of the system. [REDACTED]

[REDACTED] The Philips Medical Systems Field Deployable Bucky Diagnostic Radiographic System is currently being used by both the US Navy and US Army. [REDACTED]

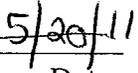
[REDACTED] No other company listed on the DLA Troop Support Indefinite Delivery, IDIQ contract offers the specially designed X-Ray System.

5. DETERMINATION BY THE ORDERING ACTIVITY CONTRACTING OFFICER THAT THE COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE:

DLA has already determined the prices of equipment on the IDIQ as fair and reasonable. The Contracting Officer will review DLA's determination for approval before a delivery order is executed.

11. Signatures

CONTRACTING OFFICER/APPROVING OFFICIAL below \$650,000

		
Contracting Officer	Code 02	Phone
		Date

COMPETITION ADVOCATE/APPROVING OFFICIAL \$650,000 or above

N/A			
Competition Advocate	Code	Phone	Date