Justification and Approval for Other than Full and Open Competition under FAR Part 13

In accordance with FAR 13.106-1(b), Contracting Officers may solicit from one source if the Contracting Officer determines that the circumstances of the contract action deem only one source reasonably available.

Per FAR 13.106-1(b)(1), this requirement does not exceed the Simplified Acquisition Threshold (SAT) and will be solicited to one source.

1. **Identification of the agency and the contracting activity:**

   Uniformed Services University of the Health Sciences (USUHS), Acquisitions Directorate

2. **Nature and/or description of the action being approved:**

   Issuance of a brand name only award. This will be a firm fixed price contract for a new award.

3. **Description of the supplies or services required to meet the agency's needs (including estimated value):**

   The Department of Military Emergency Medicine (MEM) has a brand name requirement for Fujifilm SonoSite ultrasound equipment and triple-transducers that are compatible with the existing ultrasound systems used by USUHS students and faculty. The estimated value of this contract action is [redacted]

4. **Demonstration that the proposed contractor's unique certifications or the nature of the acquisition requires use of the authority cited:**

   Fujifilm SonoSite ultrasound equipment is proprietary and vendor-specific. SonoSite machines are the most common ultrasound platform utilized across the Military Health System (MHS) and within the specialized operational environments for which USHS students are being prepared. Therefore, it is necessary to purchase Fujifilm SonoSite ultrasound equipment and transducers as specified in the product description. The SonoSite ultrasound machines may be purchased from any authorized vendor.

5. **Procedures of FAR 13.5 were or will be used in accordance with 41 USC 1901 or the authority of 41 USC 1903 (including publicizing required justifications):** __Yes __X__No

   If the notice to the Governmentwide Point of Entry (GPE) will not be publicized, indicate which exception applies:

   ☐ This requirement is under $25,000. No synopsis to the GPE is required. (FAR 5.101(a)(1))

   ☐ The following exception under FAR 5.202 applies:

   A redacted brand name justification will be posted to the GPE along with any subsequent solicitation that is posted to the GPE IAW FAR 5.102(a)(6).

6. **Determination by the Contracting Officer that the anticipated cost/price to the Government will be fair and reasonable.**

   The Contracting Officer will determine price fair and reasonable based on competitive quotes or a comparison of the proposed price with prices found reasonable on previous purchases if only one quote is received IAW FAR 13.106-3(a)(1 and 2).

7. **Description of market research conducted and the results, or a statement of the reason market research was not conducted:**

   Market research conducted determined that the required ultrasound machines are proprietary equipment manufactured only by Fujifilm. However, the manufacturer identified at least one authorized, small business distributor. Therefore, this procurement will be using simplified acquisition procedures IAW FAR Parts 12 and 13.

8. **Any other facts supporting the use of other than full and open competition:**

   N/A.

9. **Listing of the sources, if any, that expressed, in writing, an interest in the acquisition:**

   No other sources have expressed an interest, in writing, in the proposed acquisition.

10. **Statement of the actions, if any, the agency may take to remove or overcome any barrier to competition before any subsequent acquisition for the supplies or services required:**

    ACQ will monitor the marketplace for other potential sources that can provide ultrasound systems that are compatible with the existing system. Follow-on procurements for ultrasound systems will be competitive acquisitions.

Certifications

Technical/Requirements Personnel: [redacted],

As evidenced by the signature below, the technical/requirements personnel have certified that any supporting data contained herein which is their responsibility is both accurate and complete.

[redacted]

Signature Date

Contracting Officer: [redacted]

I hereby certify that the justification is accurate and complete to the best of my knowledge and belief, and I have determined that the anticipated cost to the Government will be fair and reasonable.

PROCUREMENT SENSITIVE INFORMATION – FOR OFFICIAL USE ONLY

[redacted]

Signature Date

X Approved ☐ Disapproved

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