

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval
Under
Simplified Acquisition Procedures (SAP)
Simplified Acquisition Threshold (\$3K to \$150K)
For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

1. Contracting Activity:

Department of Veterans Affairs, NCO 20 Supply Team A, Boise ID for Spokane WA, VAMC.

2. Nature of the Action Being Processed:

This is a requirement to trade in for credit and replace previously procured ES2 Control Units (x32) for Jorens medical mattresses which were competitively procured under FAR Part 08/VA NAC Federal Supply Schedules. Due to technical requirements and safety concerns of the Spokane VA Medical Center, a determination was made to replace these control units with a different upgraded model while still keeping the original mattresses which will better meet their needs and patient safety concerns. The new units must be able to work with the mattresses already in place manufactured by Jorens. The new units are open market items and only Jorens LLC manufactures these units.

3. Description of Supplies or Services Required to Meet the Agency's Needs:

2237 Number 668-13-4-9961-0180.

VA Spokane has a requirement to trade in and replace 32 Control Units for medical mattresses previously procured which must work with current units and provide improved technical specification for patient care and patient safety. The upgraded units must work with the existing Jorens product.

4. Statutory Authority Permitting Restriction in Competition:

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C. 253(c), as implemented by FAR 13.106-1(b)(1). The specific reason for restricting competition is the compelling need to replace and upgrade the control units for a specific mattress that is currently in place and was previous procured competitively under FAR Part 08 rules.

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

The current manufacturer Jorens is the only manufacturer that can provide pump control units for their mattresses. This manufacturer does work with a verified SDVOSB called Geo-Med and this open market requirement to add-on to a previous FSS order will be single sourced to Geo-Med.

6. Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:

The original FSS/VA NAC Order was solicited in a competitive environment. This requirement is essentially a follow on to that order for upgraded units that will work with the mattresses in question. There is no other manufacturer other than Jorens LLC that can produce these units for Jorens mattresses. Because the new units are open market and the VA requirement to set-a-side open market procurements to small business, a SDVOSB authorized dealer was sought.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:

The new units are priced at \$532 each from the large business manufacturer. The unit price from Geo-Med, the SDVOSB is \$561 for these same units or about 5.5% more which is a reasonable and fair price from a dealer/distributor.

8. Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):

Extensive market research was conducted of all mandatory sources to include GSA and VA-NAC Contracts. The specific upgraded control pumps required are not on any FSS/GSA mandatory sources. These new upgraded items must work with previously procured medical air mattresses (x32) which were acquired under FSS FAR Part 08. The requester now wants to return the original pumps which were procured under FAR Part 08 and under contract for credit/trade-in to get the new upgraded control pumps which are open market and appear to be available from one small business source other than the manufacturer.

9. Any Other Facts Supporting the Restriction of Competition:

The current contractor (Jorens) is the manufacturer of the mattress in question and the only manufacturer of the control pump units that work with their mattresses. No other manufacturer appears to be able to provide these upgraded units for the existing mattress. This manufacturer does work with a single SDVOSB and therefore will pursue meeting this open market requirement through the SDVOSB.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

None for this order.

11. Statement of Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making Subsequent Acquisitions for the Supplies or Services Required:

None since the original order and equipment was procured in a competitive environment under FAR Part 08.

12. Requirements Certification - IAW FAR 6.303-2(c):

I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

9/20/2013

X

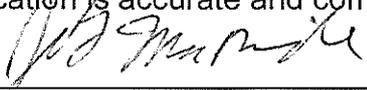
Sonya Marlton, RN, MSN
CLC Nsg Manager
Signed by: Sonya R. Marlton 510333

Sept 20, 2013

Date

13. Approvals IAW VHA SOP 3.22.11:

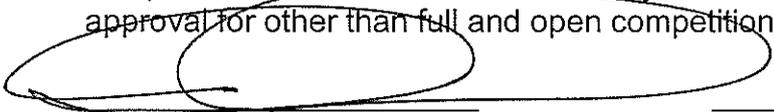
- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



John G. MacBride
Contracting Officer
NCO 20 Supply Team A

20 Sept 2013
Date

- b. **NCM/PCM/DESIGNEE:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.



John Kopp
NCO 20 Supply Team A Manager

20 Sept 2013
Date