

SSJA

Friday, October 04, 2013
12:56 PM

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

612-14-1-155-0003

Dispatch System, Radio, and Repeater Equipment

1. **Contracting Activity:**

Department of Veterans Affairs, VHA Network Contracting Office 21 (NCO 21) for VISN 21, Northern California Health Care System (NCHCS) requests approval of a Justification for Other than Full and Open Competition for the medical gases required by in 612-14-1-155-0003.

2. **Nature and/or Description of the Action Being Processed:**

This action limits competition for the acquisition of medical gases for the NCHCS. NCO 21 intends to award a new firm-fixed price order with an estimated quantity to obtain these items for a temporary bridge contract action dated from award to 3/31/2013 at the latest.

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

The NCHCS requires the following gases, provided in cylinders. Please note quantities are per annum:

Gas Description	U/ M	Req Qty
AI USP200 Air • Medical Grade • Size 200	CL	10
AI USP40 Air, Compressed	CL	15
AI USPE Air • Medical Grade • Size E	CL	10
AI UZ200 Air Ultra Zero Size 200 (Thc<0.1ppm) CGA 590	CL	5
CD 50 Carbon Dioxide • Industrial Grade • 50 Lbs	CL	74
CD USP50 Carbon Dioxide • Medical Grade • 50 Lbs	CL	180
CD USPE Carbon Dioxide • Medical Grade • Size E	CL	111
HE HP30 Helium • High Purity • Size 30	CL	5
MISCSTAMP Mil Spec Stamp (as Needed)	CL	1
NI NF180LT22 Liquid Nitrogen • Medical • 180 Liters • 22 PSI	CL	20
NI NF200 Nitrogen • Medical Grade • Size 200	CL	94
NI NF200C Nitrogen • Medical Grade • Size 200 • Customer Owned Cylinder	CL	75
NI NFC62 Compressed Nitrogen 6 Pack	UN	70
NI NFDEWARREFILL Liquid Nitrogen • Medical Grade • by the Liter • Customer Owned Cylinders	LT	6220
NS USP56 Nitrous Oxide • Medical Grade • Size H	CL	78
NS USP64 Nitrous Oxide • Medical Grade • 64lbs	CL	10
NS USPE Nitrous Oxide • Medical Grade • Size E	CL	35
OX USP200 Oxygen • Medical Grade • Size 200	CL	135

OX USPE Oxygen • Medical Grade • Size E	CL	100
OX USPEA Oxygen • Medical Grade • Size E • Aluminum	CL	5650
OX USPEAC Oxygen • Medical Grade • Size E • Aluminum • Customer Owned Cylinders \$2.19 / CL	CL	120
OX USPEAWBDS Oxygen • Medical Grade • Size EA • Walk-O2-Bout	CL	120
OX USPEC Oxygen • Medical Grade • Size E • Customer Owned Cylinders	CL	110
Z04NI7852003060 Lung Diffusion • 0.3% CO, 0.3% CH4 21% O2 Bal N2 • Size 200	CL	112

The total estimated amount for this requirement is [REDACTED] over one three-month base period and three one-month options.

4. Statutory Authority Permitting Other than Full and Open Competition:

41 USC §253(c)(1), as implemented by FAR 6.302-1(c).

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, Application for Brand Name Description per FAR 6.302-1(c);

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 authority cited in paragraph 4 must be used because Progressive Industries is the incumbent vendor for these supplies. The facility rented their medical gas cylinders from Progressive under the previous contract expiring on 9-30-2012.

Due to The difficulty in logistically tracking cylinders from different vendors distributed throughout a large Health Care System, such as NCHCS, it is appropriate to continue service with Progressive until the New regional contracts are awarded. It is anticipated that they will be awarded no later than 01-01-2014. (This action would allow for a three additional months to allow for unforeseen circumstances.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

This action will be synopsized to the GPE as required by FAR 5.201.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The Contracting Officer has determined that the anticipated price will be determined to be fair and reasonable. A Price Negotiation Memorandum (PNM) will detail how the Government has determined that the anticipated costs will be fair and reasonable.

As this item has been determined to be commercial, cost or pricing data will not be required. Pricing techniques such as are described in FAR 13.106-3(2), will be used to establish price fairness and reasonableness.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

- a. In accordance with FAR 10, market research has been conducted for this acquisition. The following techniques were used:

1. [REDACTED] through ongoing emails and the market research form.

1. Searching GSA Advantage for “gas” excluding “propane.”
 - a. No results
2. Searching SBA Dynamic Small Business Search under NAICS 325120 and the term “medical gas” in the state of CA.
 - a. No results returned
3. Searching Vetbiz
 - a. Searched under NAICS 325120 and the term “medical and gas” in the state of CA.
 - i. No Results returned

The VA Police currently use Motorola equipment. Continuing to do so will save from training costs and reduce the learning curve to operate such equipment efficiently.

Progressive Industries
Neil O'Donnell 773-763-9566
6133 N. Northwest Highway, Chicago, IL 60631

This is an interim purchase whose options shall not be renewed upon the issuance of a delivery order against the new, multiple award Contracts for the Western Region VISNs.

VANCHCS

10/4/13
Date

13. Approvals in accordance with FAR 6.304

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

[Redacted Signature]

DANIEL E. CZECH
Contracting Officer
NCO 21

10/4/2013
Date

- b. NCM/PCM (Required \$3K and above): I certify the justification meets requirements for other than full and open competition.

[Redacted Signature]

DON NEAL
Network Contract Manager Designee
NCO 21

10/4/13
Date