

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1) **Contracting Activity:**

Department of Veterans Affairs
Network 15 Contracting Office
3450 S. 4th St Trafficway
Leavenworth, KS 66048

The purchase request number is 760-14-1-050-0275.
Items are to be delivered to the Leavenworth CMOP.

- 2) **Nature and/or Description of the Action Being Processed:** The Leavenworth CMOP, 5000 S. 13th Street Leavenworth, KS 66048 Consolidated Mail Outpatient Pharmacy is requesting approval to purchase BRAND NAME specific Medtronic items. This is a new procurement and will be a firm fixed price contract. The total estimated value for this request is \$88,932.12.

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

Glucose Sensor Guardian MMT-7002

- NDC: 76300-0002-11 (NO SUBSTITUTES)
- Quantity and Description of request: 10/box, requesting 200 boxes
- Supplier: Medtronic
- The estimated Purchase Order value for this request for this item is \$82,194.00

Reservoir, Minimed MMT-326A

- NDC: 76300-0326-10 (NO SUBSTITUTES)
- Quantity and Description of request: 10/box, requesting 150 boxes
- Supplier: Medtronic
- The estimated Purchase Order value is for this request for this item is \$4,455.00

Infusion Minimed MMT-371

- NDC: 76300-0371-10 (NO SUBSTITUTES)
- Quantity and Description of request: 10/box, requesting 24 boxes
- Supplier: Medtronic

- The estimated Purchase Order value is for this request for this item is \$2,283.12

4) **Statutory Authority Permitting Other than Full and Open Competition:**

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1; Brand name description application applies.

5) **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition**

Requires the Use of the Authority Cited Above (applicability of authority): Physicians are specifically writing for these brand name medical supplies to work with the patients Medtronic brand insulin pumps. These supplies are not interchangeable with the Animas products that are found on FSS. The patient is not guaranteed to receive the correct dose of insulin if using another brand other than what matches their pumps, which could be life threatening. No other suitable substitutions have been found.

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

The requesting pharmacy indicated this medication could be obtained from these three small businesses:

MILLANN LLC - SDVOSB
5116 ROUNDTREE ST
SHAWNEE, KS 66226-3877
PH: 913 378-7284

3T Federal Solutions LLC - SDVOSB
6013 TECHNI CENTER DR STE B
AUSTIN, TX 78721-2324

Marathon Medical - SDVOSB
3251 LEWISTON AVE
AURORA, CO 80011-1530

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

The Leavenworth CMOP anticipates the cost to the Government will be fair and reasonable based on competition and comparison to recent prices paid by CMOP.

8) **Description of the Market Research Conducted and the Results, or a Statement of the Reasons**

Market Research Was Not Conducted: The requested items have a like or similar item found on the NAC but a FSS waiver has been obtained for all 3 items due to brand specific description. Medtronic is a large business; however, this item has been purchased by the VA on multiple

occasions from small business vendors to include the potential sources above & Ranger Team (SDVOSB).

- 9) Any Other Facts Supporting the Use of Other than Full and Open Competition: N/A
- 10) Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: N/A
- 11) A Statement of the 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:
The products being procured are brand-specific, but competition will be achieved through full and open solicitation. There is no opportunity to overcome the barrier that the brand specificity represents because the products are prescribed by VA doctors and are critical to patient care.
- 12) Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide 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.

Dore L. Lusignan 375613

Dore Lusignan

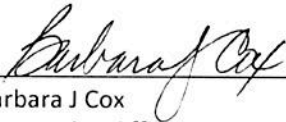
Logistics Manager

Leavenworth CMOP

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.

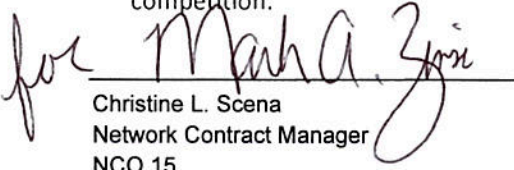


Barbara J Cox
Contracting Officer
NCO 15

Date

12/17/2013

- b) NCM/PCM : I certify the justification meets requirements for other than full and open competition.

for 

Christine L. Scena
Network Contract Manager
NCO 15

Date

12-18-2013

GA reviewed
LORI KOPACZ
Lori Kopacz
12/18/13

Department of
Veterans Affairs

MEMORANDUM

DATE: November 1, 2013

FROM: NCO15 Network Contract Manager

SUBJ: Delegation of Authority

TO: Mark A. Zinser
Director, CMOP Acquisitions Team

Reference: Standard Operating Procedure, Other than Full and Open Competition
Procurements, Department of Veterans Affairs, VHA Procurement and Logistics SOP dated
March 22, 2011.

1. Purpose: The Director, CMOP Acquisitions Team, is hereby Delegated the Authority to sign the Justifications in the referenced SOP.
2. Policy: Effective immediately, the following approval for the Justification is implemented in regards to the reference listed above:

DOLLAR VALUE	J&A SIGNATURES REQUIREMENT
\$3,000 - \$500,000	Director, CMOP Acquisitions Team

Christine L. Scena

Christine L. Scena
NCO15 Network Contract Manager