

Department of Veterans Affairs
VA CMOP, Dallas

Justification and Approval
For
Other than Full and Open Competition

1. Contracting Activity

Department of Veterans Affairs
Network 15 Contracting Office
3450 South 4th St Trafficway
Leavenworth, Kansas 66048

The purchase request number is 763-14-1-021-0014.
Items are to be delivered to the VA CMOP, Dallas.

2. Nature and/or description of the action being processed

The VA CMOP, Dallas (2962 South Longhorn Drive, Lancaster, TX 75134) is requesting approval to purchase name brand Cefixime 400mg tab for our veteran patients. This is a new procurement requested from our "Low Volume Team" for dispensing to veterans all over the country from our CMOP. It will be a firm fixed price contract. The total estimated value of this contract is \$31,176.00.

3. Description of supplies/services required to meet the agency needs

CEFIXIME 400MG TAB (C0135)

NDC – 27437-0201-08 (NO SUBSTITUTES)
50 count bottle
Manufacturer is Lupin Pharmaceuticals

4. Statutory authority permitting other than full and open competition

Only one responsible source and no other supplies or services will satisfy the 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 authority cited above (applicability of authority)

Within the VHA brand name drugs may be prescribed by physicians when in their clinical judgment the brand name drug will provide a better therapeutic outcome for their patients. Brand name drugs are requested when there is a clinical requirement for the drug. In this case, the brand specific drug name is the only item available.

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 the following three small businesses.

Millann LLC – SDVOSB
5116 Roundtree Street
Shawnee, KS 66226-3877
Phone – 913-378-7284

United Drug Supply Inc. – SB
620 Valley Forge Road
Hillsborough, NC 27278-8567
Phone – 877-400-0214

EMED Medical Company
12163 Bridgeton Square Drive
Bridgeton, MO 63044
Phone – 314-291-3633

7. Determination by the Contracting Officer that the anticipated cost to the government will be fair and reasonable

The VA CMOP, Dallas anticipates the cost to the government will be fair and reasonable based on competition and comparison to previous prices paid by other CMOP's.

8. Description of market research conducted and the results or a statement of the reasons market research was not conducted

After searching NAC and GSA, there are no available contracts for the item requested. Any open market purchases should go through veteran owned or small business at first look.

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

N/A

12. Requirements Certification

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



DEE WELCH

for

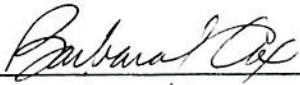
Tronny McCoggle
Inventory Management Specialist
VA CMOP, Dallas



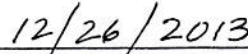
Date

13. Approvals in accordance with FAR 6.304

- a. Contracting Officer's Certification: 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

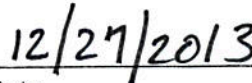


Date

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



Christine L. Scena
Director of Contracting, Network
Contracting Office 15



Date

for

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