

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition (Brand Name Only)

1. **Contracting Activity:** The Veterans Integrated Services Network (VISN) 6 Network Contracting Office (NCO) on behalf of Department of Veterans Affairs, Medical Center, Durham, North Carolina plans to contract by other than full and open competition to limit competition to a particular brand name. Purchase request 558-14-1-304-0002.
2. **Nature and/or Description of the Action Being Processed:** This is a Brand Name Only procurement to purchase Purina Mill brand animal feed for the Durham VA Medical Center (VAMC). This will be a firm fixed price contract for the period of January 16, 2014, through September 30, 2014, with four, 12-month option years.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Animal feed: Purina Rodent Diet, 50 pound bag, Purina Mouse Diet, 50 pound bag, Purina Rabbit diet, 40 pound bag, Purina Cat diet, 22 pound bag,
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - ☐ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - ☐ (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - ☒ (3) Industrial Mobilization, Engineering, Developmental or Research Capability Or Expert Services per FAR 6.302-3;
 - ☐ (4) International Agreement per FAR 6.302-4
 - ☐ (5) Authorized or Required by Statute FAR 6.302-5;
 - ☐ (6) National Security per FAR 6.302-6;
 - ☐ (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** In accordance with FAR 6.302-3(b)(2)(iii), the authority at FAR 6.302-3(a)(2)(ii) can be used when it is necessary to contract for supplies incident to maintaining an essential capability for exploratory studies or experiments in any field of science.

The Animal Research Facility at the Durham VAMC uses Purina Mill feeds as the base diet for its animal projects. These projects require that no change or alteration occur in the middle of the project or between projects conducted at different times. The product must be consistent in flavor, texture and all its characteristics. This practice is fundamental in animal research,

designed to limit variability by reducing environmental differences between experimental groups.

The VA cannot substitute the brand of product due the depth of research previously performed. The product cannot be replaced with substitute items because this would result in a substantial duplication of costs to restart the projects that are already in progress.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: A "Sources Sought" notice was posted to FedBizOpps November 14 -19, 2013, and three companies expressed interest in the requirement.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Price will be determined fair and reasonable based on competition and comparison to pricing on contract [REDACTED] for the same items.

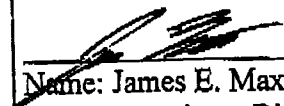
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: The Contracting Officer conducted market research and found these items are not available under an existing Federal Supply Schedule contract. However, the Purina brand is available from multiple open market sources.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: There are no other facts other than those already stated.

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

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 requirement will be posted to FedBizOpps to allow maximum competition among vendors offering the brand name only.

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.


Name: James E. Maxstadt
Title: Supervisory Biologist
Facility: Durham VAMC

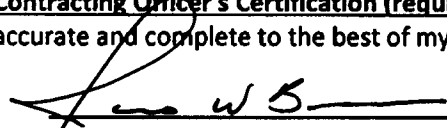
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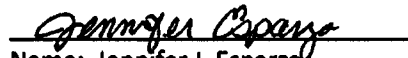
13. Approvals in accordance with FAR 6.304

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


Name: James W. Brown
Title Contracting Officer
Facility: Fayetteville, NC

11/9/14
Date

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


Name: Jennifer J. Esparza
Network: VISN 6, Supervisor Commodities Team
VISN 06
Facility: Hampton VA

11/9/14
Date