

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity: Department of Veterans Affairs, VISN 16, Houston Medical Center

Justification for Other than Full and Open Competition related to Purchase request no.
580-14-1-041-0001. Estimated value: \$268,767.00

2. Nature and/or Description of the Action Being Processed: Request approval to limit competition to a single manufacturer/source. This acquisition will result in the award of a firm fixed price purchase order for commercial items.

3. Description of Supplies/Services Required to Meet the Agency's Needs: The Houston VAMC requires RFA Needles for the Angiodynamics StarBurst Radiofrequency Ablation System. The StarBurst system is utilized in the performance of procedures to treat cancer. Due to compatibility issues, the only acceptable RFA needles are those specifically manufactured by Angiodynamics. A total of 78 needles consisting of three different types will be delivered in equal quantities on a monthly basis through the end of FY14. The required delivery is to begin on 15 February 2014.

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;
() (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): The RFA needles required must be compatible with the existing Angiodynamics Ablation System. The design of the RFA needles and the Ablation System are proprietary in nature. No other manufacturer's needles will perform with this system. Purchase of these components will allow the continued use of existing equipment to meet the VA's mission.

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

The VA NAC database and the internet have been searched for possible sources for these components. The search indicates the required needles are only available from the system manufacturer.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Price analysis will be performed by comparing price to historical data from purchases of similar equipment and review of catalog pricing on similar equipment posted on the internet.

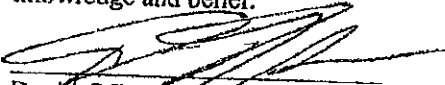
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: The VA NAC database and the internet have been searched for possible sources for these components. The search indicates the required needles are only available from the system manufacturer.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: Purchase of the RFA needles from the equipment manufacturer allows the continued use of existing equipment to meet the VA's mission. Use of needles other than the ones requested would require the purchase of additional equipment. Substantial duplication of cost that is not expected to be recovered through competition is anticipated if the current equipment is abandoned in order to compete this requirement.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: No other vendors have expressed interest.

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: For future purchases, the equipment manufacturer will be contacted to determine if authorized distributorship has been established that will facilitate competition.

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.

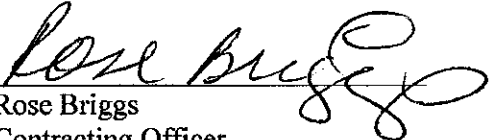

David G Douglas
Lead Tech Special Procedures CT Scan

12-19-13

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.



Rose Briggs
Contracting Officer
Division I Supply Team, NCO 16

1/21/14
Date

b. **CHIEF P&C:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Clay K. Jones
Chief, Division I Supply Team
NCO 16

1/29/14
Date

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



Aaron Villalpando
Director of Contracting
Network Contracting Office 16

1/30/2014
Date