

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, 583 Richard L. Roudebush VA Medical Center-Indianapolis, IN 583-14-1-114-0138
2. **Nature and/or Description of the Action Being Processed:** Stryker CORP has a standing contract with the Federal Government for implants, not instruments. This request is for a replacement instrument for an instrument set manufactured by Stryker for implantation of Stryker implants.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Replacement of broken/missing Dall-Miles Cable Two Sided Tensioner Stock Number 6704-9-350 Howmedica Osteonics, Corp., Stryker Orthopaedics, 325 Corporate Dr., Mahwah, NJ 07430
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):** This instrument is designed and manufactured specifically for the Stryker Dall-Miles Cable system used in Orthopaedic surgical procedures. Stryker does not distribute their products to any vendor. We currently have one Dall-Miles Cable Two Sided Tensioner Stock Number 6704-9-350. Many times a surgical procedure requires two tensioners to repair femoral fractures and with only one tensioner, we are compromising patient care.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Please see response to question #5.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price of \$3302.00 is considered to be fair and reasonable, as this product has been used before and proven to be a quality product; resulting in a good health outcome for the patient. Price is comparable to current catalog pricing.

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

Name
NCM/Supervisory Contract Specialist (as appropriate)
Network 11 Contract Office

Date

- c. **SAO(if over \$500K):** I certify the justification meets requirements for other than full and open competition.

Ricky L. Lemmon
SAO Director
Central Region

Date

- d. **VHA HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$10 million) or approve (\$500K to \$10 million) for other than full and open competition.

NORBERT S. DOYLE
Chief of Procurement and Logistics Officer
VHA, Head of Contracting Activity

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$10 million but not exceeding \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

C. FORD HEARD
Deputy Senior Procurement Executive (DSPE)
Office of Acquisition and Logistics
Department of Veterans Affairs

Date

- f. **VHA Senior Procurement Executive Approval (over \$50 million)**: I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

JAN R. FRYE

Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date