

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  
5049 South 13<sup>th</sup> Street  
Leavenworth, KS 66048

The purchase request number is 764-14-2-077-0345.  
Items are to be delivered to the Murfreesboro CMOP

**2) Nature and/or Description of the Action Being Processed:** The Murfreesboro CMOP, 5171 Sam Jared Dr., Murfreesboro, TN 37130-1382 Consolidated Mail Outpatient Pharmacy is requesting approval to purchase BRAND NAME specific NDC drug items. This is a new procurement and will be a firm fixed price contract. [REDACTED] The list below does not include all drug items included in this request but only the brand name specific drugs.

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

RESERVOIR, MINIMED #MMT-326A XV094

- [REDACTED]
- Quantity and Description of request: 10 per box RESERVOIR, MINIMED #MMT-326A
  - Supplier: Medtronix
- [REDACTED]

**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; (c) *Application for brand name description:* 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):** 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 patients. Brand name drugs are requested when there is a clinical requirement for the drug. In this case, the brand specific drug name is requested on the list above.

**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

UNITED DRUG SUPPLY INC SB  
620 VALLEY FORGE ROAD  
HILLSBOURGH, NC 27278-8567  
PH: 877 400-0 214

EMED MEDICAL COMPANY  
12163 BRIDGETON SQUARE DRIVE  
BRIDGETON, MO 63044  
PH: 314 291-3633

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

The Murfreesboro 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:** After searching NAC & GSA, there are no available contracts for any of the items requested. A search of the Center for Veteran Enterprise Vendor Information Pages indicates there are no SDVOSB or VOSB vendors which are engaged in the manufacture of pharmaceuticals. A query at the SBA Dynamic Search portal returned 44 possible small business vendors. However, these vendors are not engaged in manufacture, but are distributors for large business wholesalers. Because the Government is not allowed to do business using Wholesale Trade or Retail Trade NAICS codes, searches must be conducted using the manufacture NAICS code of 339112 Pharmaceutical Preparation Manufacturing.

**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

