

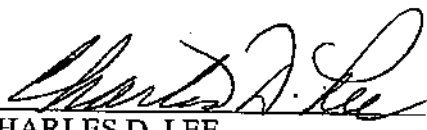
Attachment 2: Request for Sole Source Memo Format

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, Richard L. Roudebush VA Medical Center, 1481 West 10th Street, Indianapolis, IN 46202. Justification for Other Than Full and Open Competition. Purchase Request # 583-14-3-096-0992.
2. **Nature and/or Description of the Action Being Processed:** Purchase Progel Pleural Airleak Sealant, PGPS002. Firm-fixed-price.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Progel Pleural Air Leak Sealant is a resorbable hydrogel designed to seal air leaks incurred during pulmonary surgery. Forms a flexible hydrogel within 15-30 seconds of application. Ordering one case of 4. Total estimated cost is \$3,400. Required delivery date is 4/3/14. Vendor is Davol Inc. (Bard), P.O. Box 8500, Cranston, RI 02920.
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):** Progel Pleural Air Leak Sealant is the only sealant formulated for applications to the visceral pleura in the treatment of intraoperative air leaks. The product adheres to visceral pleura to maintain the seal strength over time.
 - b. **Unusual and Compelling Urgency** – Current stock levels of the product have been depleted and will affect patient care.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Searched GSA Advantage, the NAC MedSurg catalog, other on-line

catalogs, and An internet search was performed as well as checking GSA Advantage and other internet sources. Could find no other source for the item.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Determined to be fair and reasonable based on past P.O. 583-A40114 (\$3,400). Same item, price and vendor.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As mentioned in 6 above, no other source of the item was found. Davol, Inc. (Bard) provided the price of \$3,400.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Davol, Inc.
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:**
Additional research will be performed in the future when the product is needed to be purchased again. Perhaps a BPA could be established for future purchases.
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.
(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)


CHARLES D. LEE
Procurement Technician
RLR VA Med Ctr/Surgery

4/2/2014
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.

Name
Title
Network 11 Contracting Office

Date

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

Name

Date

Director of Contracting/Supervisory Contract Specialist (as appropriate)
Network II Contracting Office

- c. **SAO (If over \$650K)**: 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 \$12.5 million) or approve (\$650K to \$12.5 million) for other than full and open competition.

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

Date

- e. **VA Deputy Senior Procurement Executive Approval (over \$12.5 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)
Assistant Secretary for 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

Date

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