

DEPARTMENT OF VETERANS AFFAIRS


Justification and Approval

For

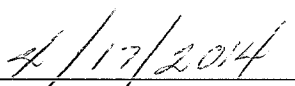
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, 583 Richard L. Roudebush VA Medical Center, 1481 West 10th Street, Indianapolis, IN 46202. Justification for Other than Full and Open Competition. Purchase Request # 583-14-3-096-1044.
2. **Nature and/or Description of the Action Being Processed:** Purchase Gynecare Morcellex Sigma Tissue Morcellators.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Requirement is for one box of MX0200, \$3,923.27. Each box contains five Gynecare Morcellex Sigma Tissue Morcellators. Total cost is \$3,923.27. Required deliver date is 4/25/2014. Vendor is Ethicon US, LLC, Route 22 West, Somerville, NJ 08876. POC is Curtis Syndrom, 317-376-9860.
Requirement is also for trade-in of existing equipment.
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):**
 - a. **Only One Responsible Source (FAR 6.302-1)** – Ethicon is the only vendor that could be found to distribute the items listed in 3 above.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Ethicon is the only vendor that can provide the Gynecare Morcellex Sigma Tissue Morcellators, the Gynecare Motor Drive Unit, a trade-in on replaced equipment, for the promotional price of the Morcellators alone as shown on the quote. Searches were conducted through VA Advantage, GSA Advantage, the NAC MedSurg catalog, on-line catalogs, and the internet to find the required items.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Price was determined to be fair and reasonable based on previous orders of the similar items. Promotional pricing actually reduced the unit cost of the items from \$899 to \$784.65 each, plus the additional equipment is being provided at no charge.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted through the searches listed in 6 above with Ethicon US, LLC providing the price of \$3,923.27. Internet search was completed, but no other vendor will provide the equipment at no cost for trade in.
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:** Ethicon US, LLC.
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 conducted in the future when/if these products are needed again.
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.



CHARLES D. LEE
Procurement Technician
Richard L. Roudebush VA Medical Center



Date

13. **Approvals in accordance with FAR 6.304** *This part is filled out by Contracting Staff as part of the Justification*

- 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
Facility

Date

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

Name
Network Contract Manager
VISN/PCA X
Title
Facility

Date

- c. **SAO (If over 650K):** I certify the justification meets requirements for other than full and open competition.

Name

Director

Service Area Office, East

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.

Name

Chief 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)

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