

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

**1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 16, Michael E DeBakey VA Medical Center (MEDVAMC). Clinical Support Service Line has provided this Justification and Approval for Other Than Full and Open Competition for the procurement for the preventative maintenance for the Johnson & Johnson ASP Sterrad Maintenance Contract. Purchase Request number 580-14-2-255-0807.

**2. Nature and/or Description of the Action Being Processed:** Request a new firm fixed priced contract for Sole Source procurement to Johnson & Johnson Healthcare Systems Inc., for service for five ASP Sterrad Maintenance Contract. Located in Bldg. 100 for a period of performance June 1, 201~~4~~<sup>4</sup> to May 31, 2015. Plus four 12 Month Option Periods.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** The preventative services are required to maintain the equipment in a functioning state to allow its use in the MEDVAMC. The original equipment manufacturer Johnson & Johnson Healthcare Systems Inc., shall provide preventive maintenance and support services to meet the agency need.

**Estimated Value: \$310,446.54**

Base Year: \$56,183.00  
Option Year 1: \$58,992.15  
Option Year 2: \$61,941.76  
Option Year 3: \$65,038.85  
Option Year 4: \$68,290.79

<b>Description</b>	<b>Quantity</b>	<b>Unit of Issue</b>
Johnson & Johnson ASP Sterrad Sterilization System	5	JB

Description	Serial Number
1 STERRAD(r) 100S Sterilization System	0101984260
2 STERRAD(r) NX Sterilization System	0033102157
3 STERRAD(r) NX Sterilization System	0033102162
4 STERRAD(r) 100NX(TM) 1-DR	1041100322
5 STERRAD(r) 100S Sterilization System	0101995172

**Estimated delivery dates:** 06-01-2014

**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;

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Johnson & Johnson Healthcare Systems Inc., is the original manufacturer of this equipment. No other contractor or vendor has proprietary rights of capability to provide the required services.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Contracting Officer published Sources Sought notice for maintenance services for Johnson & Johnson ASP Sterrad Maintenance Contract., (VA256-14-I-0581) via FedBizOpps on March 10, 2014 with results of no interested vendors.

Contracting Officer Conducted SBA search with key word Sterrad and NX Sterilization System for Small Businesses to include SDVOSB, VOSB, WOSB, and 8A. Return zero replies with capability.

Contracting Officer conducted further market research by contacting via e-mail three contacts from the Small Business Dynamic search. INTEGRATED SUPPORT SYSTEMS INC (SDVOSB), KEM MEDICAL PRODUCTS CORPORATION (Veteran), and Case Medical Inc (WOSB) were contacted via e-mail. Resulting with no capability to meet the government requirement.

Johnson & Johnson, in addition possesses proprietary hardware and software, and only services of trained contractor by Johnson & Johnson can provide services for the five Sterrad Systems.


**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost will be considered fair and reasonable from the onset pricing factor from the prior procurement history, other awarded contracts from government agencies, and a published price catalog on the internet to assist the Contracting Officer in conducting price analysis to determine fair and reasonable pricing.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Contracting Officer published Sources Sought notice for maintenance services for service contract Sterrad Sterilizer Equipment (VA256-14-I-0581) via FedBizOpps on March 10, 2014 with results of no interested vendors. Contracting Officer Conducted SBA search with key word Sterrad for Small Businesses to include SDVOSB, VOSB, WOSB, and 8A. Return zero replies with capability. Contracting Officer Conducted SBA search with key word NX Sterilization System for Small Businesses to include SDVOSB, VOSB, WOSB, and 8A. Return zero replies with capability.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** MEDVAMC possesses five Johnson & Johnson ASP Sterrad Systems that require the services from Johnson & Johnson to sustain operations and prevent any delays patient care or services.

**10. 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:** The Michael E. DeBakey VA Medical Center will consider, compare, and evaluate any alternative contractors with capability and training from original equipment manufacturer to provide maintenance services.

**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.

  
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Alex Cheng  
Biomedical Engineer  
MEDVAMC

9/21/2014  
\_\_\_\_\_  
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.

anthony.marion2@va.gov

Digitally signed by anthony.marion2@va.gov  
DN: cn=anthony.marion2@va.gov  
Date: 2014.04.21 12:44:25 -05'00'

ANTHONY CP MARION  
CONTRACTING OFFICER  
Network Contracting Office 16

Date

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

jeffery.farley@va.gov

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DN: cn=jeffery.farley@va.gov  
Date: 2014.04.21 14:58:58 -05'00'

JEFFERY A. FARLEY  
CHIEF, PURCHASING AND CONTRACTING  
Network Contracting Office 16

Date



Aaron Villalpando  
Director of Contracting  
Network 16 Contracting Office

4/23/2014  
Date