

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** The agency responsible for this acquisition is: The Department of Veterans Affairs, Denver VAMC, 1055 Clermont St, CO 80220. The Contracting Specialist for this procurement is Robert Smith. The Department of Veteran Affairs proposes to enter into a contract on the basis of other than full and open competition for the Live Long Program Office. Purchase Request Number 554-14-3-084-0306.
2. **Nature and/or Description of the Action Being Processed:** This is a new procurement and the contract contemplated will be firm fixed price to ADEC; 2601 Crestview Dr. PO Box 111, Newberg, OR 97132.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The procurement is to provide 350 ADEC valve assembly saliva ejector and 350 ADEC HVE valve assembly for the ECHCS dental clinics at a total price of \$34,069. For informational purposes only, ADEC has provided an estimated price of \$42.78 for the saliva ejector assembly and \$54.56 for the HVE valve assembly. These items are required ASAP to meet the new Central Office Dental Infection Control Standards. We are adding to existing stock as part of this new infection control mandate in order to meet the reprocessing guidelines. HVE valves and saliva ejector assemblies are part of the suction lines utilized during the dental procedure. Both of these parts are accessories to existing ADEC equipment in the dental clinics and it's absolutely necessary to purchase from ADEC to prevent equipment failure and cross contamination/infection control breach. The contractor is required to deliver the HVE and valve assemblies 3-7 days (special order) so that the clinics can come into full compliance.
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c) (1), as implemented by FAR 6.302.1

- (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):** The contractor, ADEC, is the current dental equipment utilized in all three dental clinics in ECHCS. We are adding to existing stock as part of this new infection control mandate in order to meet the reprocessing guidelines. HVE valves and saliva ejector assemblies are part of the suction lines utilized during the dental procedure. Both of these parts are

accessories to existing ADEC equipment in the dental clinics and it's absolutely necessary to purchase from ADEC to prevent equipment failure and cross contamination/infection control breach. The new infection control guidelines require reprocessing of HVE and valve assemblies after each use and therefore the clinics need to increase stock levels in order to accommodate SPD reprocessing times and avoid patient cancellations.

- 6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable** ADEC is the existing equipment utilized in ECHCS and the parts we are requesting are accessories for ADEC equipment. Therefore, ADEC products are required.
- 7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable**: The anticipated total dollar amount of the proposed acquisition is \$34,069. These items were last ordered 7-30-13 and the individual unit cost is comparable but slightly less from last year's purchase. The Contracting Officer determines that the anticipated price will be fair and reasonable based on a cost analysis and detailed audit of the certified cost proposal submitted by the contractor and subsequent negotiation. By signing the justification the Contracting Officer makes a determination that the costs/prices to the government are expected to be fair and reasonable.
- 8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted**: The dental clinic in ECHCS have previously purchased both of these items in smaller quantities and the price is consistent but slightly less with prior acquisitions. The TSS inventory manager for Dental Service, Pamela Oglesby, has data to support prior purchases.
- 9. Any Other Facts Supporting the Use of Other than Full and Open Competition**:
If alternative HVE and saliva ejector assemblies other than the appropriate ADEC parts are ordered it poses an infection control risk to ECHCS dental patients. If valve assemblies are incorrect d/t alternative manufactures and the fit is not correct it could result in equipment failure and potentially expose patients to unnecessary infectious cross contamination .
- 10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition**: See Section VI above.
- 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**:
- 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)

Heather Phelps
Name: Heather Phelps
Title: Chief of Dental
Facility: ECHCS

7-17-14
Date

(13) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

DJ Neal
CONTRACTING OFFICER'S SIGNATURE

July 31, 2014
DATE

DJ Neal Contracting Officer
NAME AND TITLE

NCO 19
FACILITY

b. NCM/PCM/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

G. Wood
SIGNATURE

7/31/2014
DATE

Gary Anwood
NAME
 NCM/PCM DIV Chief II

HIGHER LEVEL APPROVAL (Required For orders over \$500,000):

c. SAO: I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

SIGNATURE

DATE

NAME
DIRECTOR, SAO X

d. VHA HCA REVIEW AND APPROVAL (over \$500,000 to \$10 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 restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

NAME

DATE