

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

Dept. of Veterans Affairs, Network Contracting Office 23 (90c), 2501 W. 22nd St., Sioux Falls, SD 57105-1305

Services are to be performed at the following location:

Department of Veterans Affairs
VA Central Iowa Health Care System
Des Moines Division C/O BIOMED
3600 30th Street
Des Moines, IA 50310 – 1318

2. Nature and/or Description of the Action Being Processed:

Sole Source procurement to provide preventative maintenance and repair services to the Sterrad sterilization unit located at the Des Moines VA Hospital. This is procurement (2237# 636-14-4-3278-0120) is a base plus two option year request with the following pricing;

Cost: \$19,399.03 (BASE YEAR)

OPTION YEAR 1: \$19,399.03

OPTION YEAR 2: \$20,174.99

Total contract value with a base + two option years: \$58,973.05

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

Provide all tools, test equipment, original equipment manufacturer parts, labor and transportation to implement a full service agreement for the following; STERRAD STERILIZER REPAIR AND PREVENTATIVE MAINTENANCE SERVICE to Serial Number 1041100041

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 patent, copyright or proprietary data limits competition. The proprietary data is: Software used to service the Sterrad Sterilization unit. Ethicon does not sell parts or services through a distributor or other entity. Ethicon Inc. is the only vendor capable of performing this service.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Following market research it was determined that Ethicon Inc. is the one and only vendor capable of providing this service. Therefore, no solicitation was conducted.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
The Contracting Officer will determine the price 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:**
Market research was conducted using GSA advantage. No other vendor was found to perform this service for the Sterrad Sterilization Unit.
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:**


Ethicon, Inc.
DBA: Advanced Sterilization Products
33 Technology Dr.
Irvine, CA 92618-2346
DUNS: 188812150
Large Business

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:**
Future procurements for servicing the Sterrad Sterilization Unit will again have market research performed to ensure no other vendor can/cannot maintain the units. Following the conclusion of a service contract, consider replacing the aged equipment whereby no part of any support/maintenance is proprietary.
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.


Dannie Boatright
Biomedical Technician
NWIHCS-V23

8-12-14
Date

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Scott Morrison
Contract Officer
Network 23 Contracting Office (NCO 23)
Sioux Falls, SD

08/12/2014
Date

- b. **PLCM (3K-500K):** In certify the justification meets requirements for other than full and open competition and I approve of this Justification and Approval for Other Than Full and Open Competition.

Lori Fischer

Lori Fischer

Product Line Contract Manager, NCO 23

Sioux Falls, SD

8/12/14

Date