

DEPARTMENT OF VETERANS AFFAIRS


Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** The Department of Veterans Affairs (VA), Network Contracting Office 22 proposes to enter into a contract on the basis of Other than Full and Open Competition for the VA Southern Nevada Healthcare System (VASNHS). VA Form 2237 transaction number is 593-15-1-140-0008.
2. **Nature and/or Description of the Action Being Processed:** The purchase order contemplated will be a firm-fixed price action to Containment Technologies Group (CTG), 5460 Victory Drive Suite 300, Indianapolis, IN, 46230 in the amount of \$ for the base year and \$ aggregate.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Services to provide semi-annual Preventative Maintenance (PM), MIC Certification and extended warranty for the Containment Technologies Group (CTG) Hoods at VA Southern Nevada Healthcare System (VASNHS). The equipment to be covered under the proposed contract action is listed below:
 - a. EE26967 Pharmacy Hood
EE26971 Built-In Decontamination Unit
 - b. EE26968 Pharmacy Hood
EE52125 Built-In Decontamination Unit
 - c. EE26969 Pharmacy Hood
EE52126 Built-In Decontamination Unit
 - d. EE26970 Pharmacy Hood
EE56048 Built-In Decontamination Unit
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c) (1), as implemented by FAR 6.302.1 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):** The pharmacy hoods and hydrogen peroxide decontamination units owned by VASNHS (and manufactured by CTG) are highly specialized and contain CTG proprietary equipment/hardware and firmware. Any service technician servicing the equipment must have extensive knowledge of the CTG Equipment and be certified and authorized to service all components of the equipment by the original equipment manufacturer (OEM) to avoid service and warranty disqualifications. Technicians must have successfully completed all required CTG Equipment training, and the training courses must be led by a certified CTG trainer. The CTG Hoods must be certified every 6 months to maintain compliance with the Joint Commission, FDA, VA, and other appropriate regulatory requirements.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Conducted search on FBO.gov, GSA, the SBA Dynamic Small Business Search (DSBS) and the internet to identify other sources that may be capable of providing these service.


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 approximately \$ for the base year. Search of IFCAP yielded a Purchase Order (593-C40095 for \$3,866.50) that was placed with CTG for a one time certification of the same pharmacy hoods to be serviced under this proposed contract (not including preventative maintenance, extended warranty and no services were performed on the decontamination units) at VASNHS. Since only certification on the hoods was provided and none of the other services to be performed under this proposed contract action, there was a great difference in price. The Contracting Officer ensured the contract price is fair and reasonable based on a comparison of prices paid for similar services at other VA Locations. Search in FPDS yielded 3 other contract actions from various VA locations for PM/certification services completed by CTG on similar pieces of equipment with comparable pricing as follows: VA626C10156 for \$31,331.00, V626C10156 for \$21,986.00, and VA249-P-1223 for \$30,070.00. Considering the aforementioned information, the price is considered 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:** Internet-based market research using the search terms "CTG Hood", "Pharmacy Hood", "Containment Hood", "Containment Hood Certification", "Containment Hood Preventative Maintenance" (and other variations of these terms), did not yield many results. Most of the results that were yielded were either links to CTG's website or medical websites on pharmacy hood PM recommendations (how often they should be accomplished). Two companies were identified that may be able to provide these services using internet search. One of the companies, Hood Safe, only performs their services in New England. The other company identified, Jupiter Labs, was contacted by the previously assigned Contract Specialist and they stated that they did not provide these services (see attached email). FBO.gov was also searched using the search terms listed above and no results were yielded. A search of the GSA eLibrary database found that CTG had a GSA Supply Schedule Contract (GS-07F-5521R), however, it expired in December 2009. No other companies that provide services on the equipment listed were found in GSA.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** There are no other facts supporting the use of other than full and open competition.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.
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:** The Government will continue to survey potential interested vendors in the marketplace for subsequent acquisitions of the same nature.
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.


Jay Heister
Biomedical Engineering
VA Southern Nevada Healthcare System


9/29/14
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.



Rebecca Gloria
Contracting Officer
Network Contracting Office 22

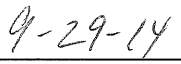


Date

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



Kevin Blanchard
Director of Contracting
Network Contracting Office 22



Date