

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

Justification for Other Than Full and Open competition purchase request 553-15-1-103-0297

1. **Contracting Activity:** Department of Veterans Affairs, VISN 11, Detroit VA Medical Center. 553-15-1-103-0297
2. **Nature and/or Description of the Action Being Processed:** This is a sole source request for UC Shaver Instruments and Disposables. They are made and distributed by Smith & Nephew INC, 150 Minuteman Road, Andover, MD 01810. The cost for these items total \$3900.00. The items were used in O.R Surgery, and will be paid as a bill only.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The UC Shavers were used in a case on 10/29/14. The original request was completed on a purchase card order, but the total went above the micro-purchase threshold. Total cost: \$3,900.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 U.S.C. 3304, as implemented by FAR 6.302-2.*
 - (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):** These UC Shavers were used in Orthopedic Surgery. Smith & Nephew are the only source for these items as they are the manufacturer and only distributor.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** No other sources exist as Smith & Nephew is the only company to manufacture and distribute these items.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
The pricing is fair and reasonable in comparison to past PO's for the same supplies. PO 553-Q40330, the UC Shaver (\$600) and Handpieces (\$500) are the same price as the current PO.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was not done, due to the items being used in surgery. Unable to determine what will be used before the procedure.
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:**
Smith & Nephew INC, 150 Minuteman Road, Andover, MD 01810.
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:**
No action available at this time as Smith & Nephew is the only source available.
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.



Name
Inventory Manager
VA John D. Dingell

11/10/14
Date

Approvals in accordance with FAR 6.304

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

Name

Date

Title
Network 11 Contracting Office

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

_____	_____
Name	Date
Director of Contracting/Supervisory Contract Specialist (as appropriate)	
Network 11 Contracting Office	

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

_____	_____
Ricky L. Lemmon	Date
SAO Director	
Central Region	

- c. **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.

_____	_____
NORBERT S. DOYLE	Date
Chief of Procurement and Logistics Officer	
VHA, Head of Contracting Activity (HCA)	

- d. **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)
Assistant Secretary for Acquisition and Logistics
Department of Veterans Affairs

Date

- e. **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