

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs
Network 15 Contracting Office
3450 S 4th Street Trwy
Leavenworth, KS 66048
The purchase request 589-15-1-4802-0161, Robert J. Dole Medical Center and Regional Office, 5500 E. Kellogg Wichita, KS 67218-1607
2. **Nature and/or Description of the Action Being Processed:** This is a new request for Turbohawk and Silverhawk atherectomy directional catheters. The estimated cost of this purchase is \$377, 460.00. This is a firm-fixed price contract with anticipated onetime buy and the estimated award date will be on or about November 20, 2014. The requested supplier is EV3 /Covidien, Inc., 3303 Campus Drive, Plymouth, MN 55441 (800) 716-6700
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The following is proposed: the Logistics department, by maintaining inventory stock, supports the Cardiovascular Lab which has a compelling need for EV3/Covidien products used for patient procedures, performed by the Interventional Cardiologist and Vascular Surgeons at the Wichita, Kansas Veterans Affairs Medical Center. We are requesting the following stock items and to replenish the inventory levels in order to support the Cardiovascular Lab. The following supplies are requested by the physicians in the department:

TURBOHAWK AND SILVERHAWK ATHERECTOMY CATHETERS

The directional atherectomy catheter is a FDA approved plaque excision catheter that uses a tiny directional blade to shave away and remove plaque from inside the artery. The directional atherectomy catheter provides the physician with a frontline plaque excision solution in treating multiple vessel lesions which contributes to: maximum luminal gain, minimizes barotrauma, preserves the native vessel for future treatment options, prevents limb loss, and relieves symptoms. Directional atherectomy is effective in the treatment for all plaque morphologies including soft plaque and mild to moderate calcium. The dual jog controls maximizes the apposition force to the vessel wall to ensure consistent cutter contact. A lower profile tapered tip provides ease of delivery. Clinical outcomes have shown diabetics have done better than non- diabetics when treated with directional atherectomy. The clinical studies have also shown that the directional atherectomy limb salvage rate was favorable in comparison to other endovascular and surgical trials, .014 wires 7fr. and 6fr. Directional atherectomy catheters for treatment of all plaque morphologies.

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):

These supplies are used to treat peripheral vascular disease in our patients. These supplies are required in the Cardiovascular Lab by the Interventional Radiologists, Interventional Cardiologists, and the Vascular Surgeons to repair the circulatory system in the lower extremities for people with peripheral vascular disease. These specific items are preferred by the physicians due to the training they and the staff in the cardiovascular lab have received, the control the physician has of the device to direct it to the area of plaque burden, the exceptional level of success when treating the patients with these items, and FDA approval for the usage of these items for treating peripheral vascular. EV3/Covidien is the only manufacture to provide these products with the specific specifications and performance standards as determined by the physicians performing the delicate treatment of peripheral vascular disease in our patients. This allows the physicians and the staff to use the products they are proficient with. The use of these particular supplies provides for not only better outcomes but it cuts down on procedure time. When we have longer than normal procedure times, this can result in longer radiation exposure for the patient and the staff and sometimes results in overtime for the cardiovascular lab staff that has to stay after hours to recover some of these patients. When using these devices, the need for repeat procedures is reduced, thus results in a cost savings for the VA and prevents the patients from having to undergo multiple procedures for the same problem.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

EV3/Covidien is the sole manufacture of these items. Due to the unique needs of each patient, the diversity in the products, dependability, and quality of supplies required, no products will be available from small businesses and these products are available only from the manufacturer.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The cost for the directional atherectomy catheter from Covidien/ EV3 has not increased since 2012. This is the product the physicians are requesting.

The other product that was used by the physicians for patient treatment was the rotational atherectomy catheters and additional supplies (viper wire and viper slide lubricant) are required for this instrument to be operational. Those products were purchased from Cardiovascular Systems, Inc. (CSI).

According to the physicians, rotational atherectomy catheters are not the most productive or most proficient instrument needed to complete the necessary treatment of all morphologies. The cost to the Government is fair and reasonable, due to the facts above and the present cost for a directional atherectomy catheter from Covidien/ EV3 is less expensive to operate.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Currently, EV3/Covidien is the only manufacture and distributor for these specific items requested for purchase for our inventory that satisfy the present requirements of the physicians for patient treatment. Market Research was conducted through the mandatory National Acquisition Center (NAC), and Federal Supply Schedule (FSS) Contract (FSC 65 and 66) and there were many catheters listed such as catheter holders, injection needle catheter, catheter kits, catheter procedures cart. The Federal Procurement Data System (FPDS) NG EZ search produced numerous of procurements that associated with the requested items and Covidien/EV3 was the main supplier of those requests. The directional atherectomy catheters manufactured and distributed by EV3/Covidien can treat all plaque morphologies above and below the knee; the rotational atherectomy catheters do not have that capability. The use of the requested instrument in our labs helps prevent limb amputations which saves the VA money and keeps the patient from losing a limb.
9. Any Other Facts Supporting the Use of Other than Full and Open Competition: For several years, EV3/Covidien has supplied items that been utilized in our lab. These have been used by the physicians in the cardiovascular lab without experiencing any compromising incidents. The Wichita, Kansas Veterans Affairs Medical Center has consistently received products from EV3/Covidien in a timely manner without delay.
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: EV3 /Covidien
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 requirement is currently being researched and reviewed by the Logistics and the NCO for the establishment of a supply contract that would encompass these items.
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.

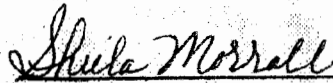


Name: Teri Brinkley
Title: Cardiovascular Lab Manager
Facility: RJD VA Medical Center

11-20-2014
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.


Shlela Morrall
Contracting Officer
Network Contracting Office (NCO 15)

11-20-2014
Date

- b. **NCM/PCM (Required 53K and above):** I certify the justification meets requirements for other than full and open competition.

Lloyd D JACKSON 346520

Digitaly signed by Lloyd D JACKSON 346520
DN: cn=jackson, o=USDA, ou=USDA, email=jackson@usda.gov, c=US, serial=346520
Date: 2014.11.20 09:38:51 -0500

Christine L. Scena
Director of Contracting
Network Contracting Office 15

Date

Kay
Brundage

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