

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)
For
Other Than Full and Open Competition
BRAND NAME JUSTIFICATION

Acquisition Plan Action ID:

1. **Contracting Activity:** Department of Veterans Affairs, VISN 15, Department of Veterans Affairs CMOP Program, NCO15 CMOP Acquisitions.

[REDACTED]

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

This request is for 1820 Soft-Clix Lancets, NDC 6570-20156-10, for CMOP dispensing. The [REDACTED] for two CMOP's. This item is used to treat eligible Veterans that require blood samples to verify blood glucose levels. The CMOP currently dispenses approximately 61,890 (100ct pack size) of this item monthly. This is a standardized item by the VA and a generic or other item would have to be pre-approved for dispensing. Any other item would compromise VA standardized patient care, as it would contradict physician's orders.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** NDC 65702-0156-10 Soft-Clix Lancets used for sampling glucose levels.

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; BRAND NAME SPECIFIC JUSTIFICATION
 () (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):**

Veteran patients have had specific glucose devices prescribed by a physician and the only item that will function properly with this device is the Soft-Cylix Lancet, NDC 6570-20156-10, distributed by Roche Diabetes Care, Inc. Accordingly, this is the only brand and specific NDC that will meet the Government's need without experiencing unacceptable delays in fulfilling its requirements and possibly endangering patient care.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** An open-market solicitation will be issued for this requirement utilizing a Brand Name Specific (NDC 6570-20156-10) description.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Based on determination of fair and reasonableness pricing on the FSS contract, any quoted prices, in response to this open market solicitation, will be compared to the price that was listed on the previous FSS contract.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** This item was previously available on FSS contract; however, it not currently available through this means. Recent solicitations issued, earlier in November 2015, for Soft-Clix Lancets resulted in two additional offers; however, fair and reasonable pricing could not be determined. In addition, neither of these two offerors was able to provide full delivery of the requirement.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Due to physician prescribed devices, the need to compete for this brand name specific item will result in Veterans receiving the appropriate items for the prescribed use.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

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:**
There were no actions taken to remove or overcome barriers as these are brand name specific items prescribed by a physician and no generic or other item will meet the needs of the government.
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.
13. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**
 - a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Karen R. Griffin
Contract Specialist
NCO15 CMOP Acquisitions

Date