

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)  
For  
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA263-16-AP-7440

1. **Contracting Activity:** Department of Veterans Affairs, Network 23 Contracting Office, St. Cloud, MN 56303. Bridge Contract for Radiopharmaceuticals for the Nebraska Western Iowa VA Health Care System. 2237 Number: 636-16-2-1022-0026.

2. **Nature and/or Description of the Action Being Processed:** A firm-fixed priced purchase order to provide radiopharmaceuticals.

**FAR13.5 Simplified Procedures for Certain Commercial Items:** *This procurement is for radiopharmaceuticals in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.*

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Radiopharmaceuticals for the Nebraska Western Iowa VA Health Care System for the base period of 7/1/2016 to 9/30/2016 with one three month option period.

The estimated cost for this procurement is \$181,578.00 (including the base and one option period).

4. **Statutory Authority Permitting Other than Full and Open Competition:**

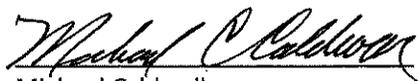
- (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- (2) Unusual and Compelling Urgency per FAR 6.302-2;
- (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- (4) International 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;

**FAR13.5 Simplified Procedures for Certain Commercial Items:** *The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).*

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This sole source acquisition is to continue procuring radiopharmaceuticals for the Nebraska Western Iowa VA Health Care System from the incumbent contractor, Cardinal Health 414. The current contract will end on 6/30/2016. The proposed contract action will consist of a three-month base period with one three-month option period, and will prevent adverse impact on the mission of the agency, which would occur

should there be a lapse in the availability to radiopharmaceutical to the Nuclear Medicine department at the Nebraska Western Iowa VA Health Care System.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** For reasons stated in paragraph 5, this contract is to provide radiopharmaceutical for a six-month period (three-month base, and one three-month option period) to prevent adverse impact on the mission of the agency, which would occur if there was a lapse in the delivery of radiopharmaceuticals. A new long-term contract is in process, and the new contract will be solicited through a competitive procurement on www.FBO.gov.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** It is anticipated the pricing will be consistent with those offered under the current contract which have already been determined 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:** For reasons stated in paragraph 5, market research was not conducted.
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:** 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:** A new procurement for a long-term contract is in process, and will be competed on www.FBO.gov
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.



Michael Caldwell  
Assistant Director Diagnostics  
Nebraska Western Iowa VA Health Care System

5/9/16

\_\_\_\_\_  
Date

13. **Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.**
  - a. **Contracting Officer or Designee's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

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Andrea Harter  
Contracting Officer  
NCO 23-St. Cloud

05/09/2016  
\_\_\_\_\_  
Date

- b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Jennifer Myers-King  
Branch Chief, Commodities  
NCO 23-St. Cloud

05/09/2016

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Date