

JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW [FAR 13.106-1](#)
(OVER MICRO-PURCHASE THRESHOLD(\$3.5K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements ***explaining the absence of competition*** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

1. ACQUISITION PLAN ACTION ID:
VA69D-16-AP-4758

1A. PROJECT/TASK No.
695-16-3-339-0060

1B. ESTIMATED AMOUNT:
\$27,009.00

2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:

The Operating Room at the Clement J. Zablocki VAMC in Milwaukee, WI has a need for minimally invasive instruments for performing Lumbar Spine Surgical Procedures.

3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:

VHA Directive 2009-031 requires SPS to standardize the purchase of instruments and to replace the instruments not standardized. Failure to standardize instruments can result in patient/staff injury related to improper reprocessing errors. Reprocessing errors have resulted in thousands of VA patients being notified for potential exposure to HIV, Hepatitis C and other infectious diseases.

Medtronic is the proprietary manufacturer of the requested instruments. This request is a Brand Name Only request because of the VA SPS Standardization Mandate that all surgical instruments be standardized. The Clement J. Zablocki VAMC currently owns Medtronic Spine Instrument Systems. The requirement is to complement the existing systems already in use at the Milwaukee VAMC. The Medical Center surgical Staff is trained on the use of the Medtronic Instruments and the Sterile Process staff is train on the reprocessing requirements for Medtronic instruments.

4. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:

Ability One website search was conducted; Ability One does not provide the required product.

UNICOR website search was conducted; UNICOR does not provide the required product.

VetBiz search was conducted using the search criteria of NAICS Code: 339112 and Keywords: "Medtronic." The search resulted in two Service Disabled Veteran Owned Small Business vendors who may be able to provide the requirement:

- 1 Source Solutions, LLC – Suffolk, VA – SDVOSB – unresponsive.
- Recon Spine, LLC – St. Charles, MO – SDVOSB – not able to fulfill the requirement.

NAC search conducted, resulting in no mandatory NAC contract providing the requirement.

GSA search conducted, resulting in no GSA contract providing the requirement.

FPDS search conducted using search criteria of "minimal invasive spine instruments" resulted in no vendors.

Manufacturer Communications with the suggested vendor Medtronic, a large business, were performed. Manufacturer provided one vendor, a SDVOSB, who is able to provide the requirement. Veterans Healthcare Supply Solutions, Inc. – Jacksonville, FL – SDVOSB – is capable of providing the requirement.

5. Contracting Officer's Certification: *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. Note: COs are required to make a determination of price reasonableness IAW FAR 13.106-3. See the [Commercial Supply and Service SOP](#) for Price Reasonableness templates.*

Signature: _____

Name: Alea Barnes – Contracting Officer / Equipment Team Branch Chief NCO-12