

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA260-16-AP-4279

1. **Contracting Activity:** Department of Veterans Affairs, NCO20, 5115 NE 82<sup>nd</sup> Ave Suite #103, Vancouver, WA 98662 for Boise VA Medical Center Orthopedic Surgery. Purchase request # 531-16-3-9996-0076.
2. **Nature and/or Description of the Action Being Processed:** The Boise VA Medical Center in Boise, ID is requesting 12 different orthopedic surgical kits. The resulting purchase order will be a firm fixed price, one time buy.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The sets included are for Clavicle, Distal Radius, Hand, Large small & mini Frag Plates, and DHS implants. They include all sizes of screws and hardware needed to perform surgical orthopedic repairs. The total of the 12 kits is \$404,118.25.
4. **Statutory Authority Permitting Other than Full and Open Competition:** VAAR 819.7007 Sole source Awards to service-disabled veteran-owned small business concerns as implemented by FAR 6.302-5 Authorized by statute.  
  - ( ) (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
  - ( X ) (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):** As allowed by 38 U.S.C. 8127, awards to Service Disabled Veteran Owned Small Business (SDVOSB) can be made on a sole source basis. There was only one SDVOSB found who could provide this item as authorized by statute, FAR and the VAAR, this will be a sole source award to Beacon Point Associates is a Certified Service-Disabled Veteran-Owned Small Business (SDVOSB).
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** IAW VAAR 819.7007, sole source awards to SDVOSB concerns. (b) "The contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. A determination that only one SDVOSB concern is available to meet the requirement is not required." There were no additional SDVOSB/VOSB vendors who could supply the specialized orthopedic surgical kits required by the customer.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** IAW VAAR 819.7007(a)(4), when making a sole source award the pricing must be made at a fair and reasonable price. The pricing provided by Beacon Point Associates based on comparison to pricing provided by Synthes the manufacturers listed pricing, is considered fair and reasonable. The pricing given on the parts by Beacon Point Associates are the same as the manufacturer's price. A further search of the NAC showed that Cardinal Health only carried some of the items and were not able to provide all items included in the kits.
  
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As required by FAR Part 10, market research was conducted to look at all SDVOSB/VOSB opportunities first. As stated above one SDVOSB was found that could supply the exact need of the government.
  
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:** No actions were taken to overcome barriers. There are many vendors who can supply carts, but I am looking to SDVOSBs first and found one that could provide. They are also an authorized distributor for the manufacturer.
  
12. **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.

Jacob P Jackson  
457690

Digitally signed by Jacob P Jackson 457690  
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9/15/2016

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Jacob Jackson  
Contract Officer  
NCO20

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Date