

DEPARTMENT OF VETERANS AFFAIRS

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

1. Contracting Activity:

Department of Veterans Affairs, Network Contracting Office 20.

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

This procurement is for the Boise VA Medical Center under PR# 531-16-3-9961-0086. They have a requirement that will be filled using a Firm-Fixed Price contract.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

This is a request for Wireless Vital Sign Monitors; Total estimated value for this procurement is \$204,442.00. The customer has provided a suggested vendor for this product: Phillips.

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

Title 38 U.S.C. 8127 (b), (c) and (d) provide the authority for Department of Veterans Affairs (VA) Contracting Officers (COs) to make awards to service-disabled Veteran-owned small business (SDVOSB) and Veteran-owned small business (VOSB) firms using other than full and open competition when certain conditions are met. In addition, VAAR 819.7007(b) allows the CO to award to an SDVOSB on a sole source basis:

- () (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):

Title 38 U.S.C. 8127 (b), (c) and (d) provide the authority for Department of Veterans Affairs (VA) Contracting Officers (COs) to make awards to service-disabled Veteran-owned small business (SDVOSB) and Veteran-owned small business (VOSB) firms using other than full and open competition when certain conditions are met.

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

A search on GSA, under 65IIA/ A-50A Vital Sign Monitors did not come up with any SDVOSB/VOSB that can provide the product being requested. I then contacted the manufacturer, and they provided an SDVOSB Certified Distributer that can provide the products needed. Therefore, per VAAR 819.7007(4)(b), this can be sole sourced to the lone SDVOSB. "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."

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

IAW VAAR 819.7007(4), when making a sole source award the pricing must be made at a fair and reasonable price. IAW FAR 13.106-3(a)(2)(vii), The pricing provided by Four Points is considered to be fair and reasonable based on any other reasonable basis. In this case, there were similar Vital Sign Monitors on GSA contract, priced similarly; however, these monitors did not match the customers exact salient characteristics. An example would be the Surveyor S19 Patient Monitor, which is priced, on contract, at \$7,968.34 each. All other line items were priced similarly as well.

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 on schedule, but with no vendors able to provide this type of equipment this award will be made to a SDVOSB through open market.

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 Vital Sign Monitors, 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](#).

Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

X

CONTRACTING OFFICER