

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

Acquisition Plan Action ID: VA256-17-AP-0215

1. Contracting Activity: Department of Veterans Affairs, Network 16 Contracting Activity, Michael E. DeBakey VA Medical Center VA Medical Center 2002 Holcombe Boulevard Houston, TX 77030

2. Nature and/or Description of the Action Being Processed: Pursuant to Citations 41 U.S.C. 304(a)(2) the VA has a need for the supplies of such a compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals, full and open competition need not be provided for. Supplies at this time may be deemed to be available only from the original source. Award to another source would result in unacceptable delays in fulfilling the agency's requirement and substantial duplication of cost to the Government that is not expected to be recovered through competition.

The Government anticipates entering into sole source acquisition to Abiomed, Inc. for Catheters based on the quantities listed below.

The Impella CP is percutaneously inserted circulatory support device that can provide, active unloading of the left ventricle without the need for atrial (transeptal) puncture. The unique, minimally-invasive technology employs a microaxial pump which is placed into the aorta by means of a catheter that is inserted into the femoral artery. The Impella support device minimizes the need for access to multiple vessels in order to provide direct circulatory support of up to 4.2 liters/minute. The Impella CO also provides pressure measurements which are helpful in determining intravascular pressure.

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

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

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- (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;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

Only Abiomed is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: This procurement action is deemed an emergency, and the research conducted was in VIP portal but limited due to time constrains. The search conducted found 73 SDVOSB that could potentially fulfill the requirement but due to the urgency of this order the contracting officer found the price as fair and reasonable when compared to the submitted quote and the IGCE

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Because of time constrains the contracting officer found the price as fair and reasonable when compared to the submitted quote and the IGCE.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: VIP portal was searched and yield 73 SDVOSB that could potentially fulfill the requirement but due to time constrains the contracting officer feels that the price is fair and reasonable when compared to the submitted quote and the IGCE.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: n/a

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:

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.

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

10/20/2016

Date