

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 523-17-1-7811-0012

1. Contracting Activity:

Department of Veterans Affairs

VISN 1

1400 VFW Parkway

West Roxbury VA Medical Center

2. Nature and/or Description of the Action Being Processed: Creating a one year contract for the Vasoview Hempro2 Vein Harvesting System.

3. Description of Supplies/Services Required to Meet the Agency's Needs: The VASOVIEW HEMOPRO 2 Endoscopic Vessel Harvesting System is used during coronary artery bypass graft (CABG) surgery to obtain one or more healthy vessels from the patient's leg or arm to use as "new" vessels to bypass a blockage in the heart. It is minimally invasive, requiring only a small incision, and there is generally little patient discomfort, especially when compared to open or bridging procedures. The Hempro2 significantly lessens the risk of infection and wound complications, has less postoperative pain and swelling. The patient will have faster recovery with minimal scarring and an outcome of greater patient satisfaction.

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

- (X) (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):

The VHA brand name products above have been approved by physicians, as in their clinical judgment the brand name product will provide a better therapeutic outcome for patients' recovery. The Cardiac surgeons have just started a patient study that includes the use of the

Hempro2 Vein Harvester for one year. At this moment this product is the only one that can be used for Cardiac Surgery during this patient study.

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

The following requirement was posted to the FBO to allow for vendors to compete.

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

The West Roxbury VA Medical Center anticipates the cost to the Government will be fair and reasonable based on market research and prior price paid from the VA.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The West Roxbury VA Medical Center anticipates the cost to the Government will be fair and reasonable based on market research and prior price paid from the VA.

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

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

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:

The Cardiac surgeons have just started a patient study that includes the use of the Hempro2 Vein Harvester for one year. At this moment this product is the only one that can be used for Cardiac Surgery during this patient study.

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.

MELISSA D. Williams 288038

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cn=MELISSA D. Williams 288038
Date: 2016.09.29 08:03:12 -04'00'

Name

Date

Title

Facility

13. Approvals in accordance with the

- 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.

Joyce D. Goodale 171563

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0.9.2342.19200300.100.1.1=joyce.goodale@va.gov, cn=Joyce D.
Goodale 171563
Date: 2016.09.29 10:35:46 -04'00'

Name Joyce D. Goodale

Date

Title Contracting Officer

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 3: Request for Sole Source Justification Format >\$150K

Facility

- 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.

Tammy A
Fox 706200

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706200
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ou=people,
0.9.2342.19200300.100.1.1=tammy.fox
@va.gov, cn=Tammy A Fox 706200
Date: 2016.09.29 12:52:27 -04'00'

Name Tammy A. Fox

Date

NCO/PCO XX Director of Contracting or Designee

Facility NCO1, Branch Chief, Supply South

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$13.5 million) or approve (\$700K to 13.5 million) for other than full and open competition.

Name

Date

VHA Head of Contracting Activity (HCA)

- d. **VA Deputy Senior Procurement Executive Approval (over \$13.5 million but not exceeding \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Name

Date

Deputy Senior Procurement Executive (DSPE)

Office of Acquisition and Logistics

Department of Veterans Affairs

- e. **VHA Senior Procurement Executive Approval (over \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

Jan R. Frye

Date

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 3: Request for Sole Source Justification Format >\$150K

Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs