

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: [REDACTED]

1. **Contracting Activity:** Department of Veterans Affairs, VISN 19, Oklahoma City VA Health Care System, Network Contracting Office 19
2. **Nature and/or Description of the Action Being Processed:** Brand Name Justification for the Purchase of KaVo slow motors, hand pieces and Surgtorque with O-rings. This brand of equipment is needed in order to be compatible with existing hoses, dental units and other hand pieces using slow speed and is currently in use at the Oklahoma City VA Medical Center.

***FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is for KaVo slow motors, hand pieces and Surgtorque with O-rings in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.*
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** 150 each of the KaVo INTRAmatic LUX Air Motor 181 L, 20 each of the KaVo SURGtorque S459 L, and 150 each of the O-Ring 8,3x0,68
4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §3304(a)(1), as implemented by FAR 6.302-1.

- (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;

***FAR13.5 Simplified Procedures for Certain Commercial Items:** The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).*

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 requested items are needed for compatibility with existing hoses, dental units, and other hand piece attachments. Purchase of completely new equipment would not be cost effective, would require training, and possibly delay patient care. Also, the equipment requested is directly replacing older version in order to meet updated sterilization requirements.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Competitive procedures amongst authorized Service Disabled Veteran Owned Small Business (SDVOSB) distributors for the needed items while fulfilling the sterilization requirement and ensuring compatibility with other existing equipment and attachments currently in use will be used on a Request for Quote on FBO.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Based on comparison to a recently awarded contracts and comparison to the manufacturer prices, it is anticipated that the proposed pricing will be fair and reasonable and in the best interest of the government.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A FEDMINE report was provided from the Small Business Specialist, a search on VIP, and FPDS was searched. The manufacturer was also queried and provided a list of authorized distributors for the requested items. Based on the market research, a competitive SDVOSB set-aside RFQ can be solicited.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Currently, the 181 L older version does not allow sterilization only disinfection. A higher standard for sterilization is required. KaVo has created this newer version to keep up with this standard. These hand pieces serve as the primary motor for all FG, Latch and other attachments needed to do multi-specialty procedures for endodontics, operative, periodontics and prosthodontics. The newer model 181 L motors will be completely compatible with all existing attachments.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Authorized Distributors of KaVo products.
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:** In the future, new technology will be considered by other competitors and continuous market research is being conducted to overcome barrier while still meeting the needs of the patients.
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.



13. 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.



- 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.

