

Attachment B: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval For Other Than Full and Open Competition**

**Contracting Activity:** Department of Veterans Affairs, VISN 04, VA Pittsburgh Healthcare System, University Drive Division. 2237#646-12-3-622-0203

**Nature and/or Description of the Action Being Processed:** Brand Name Only Sole Source and Only One Responsible Source, Sole Source Award, to Arobella Medical, LLC.

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

Arobella Medical Qoustic Wound Therapy System (Catalog Number AR1000-SYS). Estimated Contract Amount \$45,145.

Statutory Authority Permitting Other than Full and Open Competition: 41 USC 253 (c) (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;

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

It is essential to purchase the Arobella Medical, Inc. Qoustic Wound Therapy System, since it contains the following salient features that no other company makes in a similar product:

35kHz

10mm surgical curette

No required disposable - functions with primary IV tubing sets and bags or normal saline stock within the facility.

Hand piece does not require auto-claving.

It is essential to purchase the above mentioned equipment from Arobella Medical Inc., since they are the Sole Exclusive Seller of their Qoustic Wound Therapy System.

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

N/A. Only One Responsible Source Sole Source Award. However, as Notice of Intent to Sole Source will be posted to Fedbizopps for 3-5 days.

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

The price quoted by Arobella Medical, Inc., for their Qoustic Wound Therapy System, is the same price they charged the VA Alexandria Louisiana Medical Center on 9/27/2011, under VA Purchase Order# V502-A10184. (See copy of the Order in the Contract File under S23.

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

Market research was conducted to determine if the items were commercial items, and since the items have been sold in the Commercial Marketplace and to the US Government, the items are considered commercial items.

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

None.

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

Misonix. However, the Service Line has decided the Arobella Medical Wound Therapy System better meet their needs for the above stated reasons.

**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:**

A Notice of Intent, along with the Other than Full and Open Competition Memorandum, that includes the Brand Name Only Sole Source and Only One Responsible Source Justification, will be posted on the Government Point of Entry (GPE) Fedbizopps, for 3-5 days, prior to the Award of any Contract.

**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.

(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)

  
Name: Alan Petrazzi

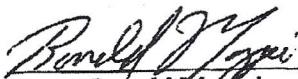
5/29/2012  
Date

Title: Rehabilitation Director


Facility: 646 – Veterans Affairs Pittsburgh Healthcare System

Approvals in accordance with FAR 6.304:

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



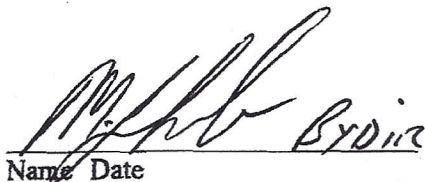
Name: Ronald Mazzei  
Title: Contract Specialist  
Facility: HJ Heinz Facility

  
Date

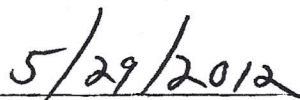
VISN/PCA QA: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Name Date  
Title  
Facility

NCM/PCM: I certify the justification meets requirements for other than full and open competition.



Name Date  
Network Contract Manager  
VISN/PCA

  
Date

SAO: I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Name Date  
Director



Service Area Office, East

**VHA 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 (over \$50 million), approve (up to \$ 50 million) for other than full and open competition.

\_\_\_\_\_  
Norbert Doyle  
Chief Procurement and Logistics Officer  
VHA Head of Contracting Activity (HCA)

\_\_\_\_\_  
Date

**VA Deputy Senior Procurement Executive Approval (over \$10 not exceeding \$50 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.

\_\_\_\_\_  
Iris B. Cooper Date  
Deputy Senior Procurement Executive (DSPE)  
Office of Acquisition and Logistics  
Department of Veterans Affairs

**VHA Senior Procurement Executive Approval (over \$50 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  
Deputy Assistant Secretary for Acquisition and Logistics  
Senior Procurement Executive (SPE)  
Department of Veterans Affairs