

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

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA259-17-AP-7077

1. **Contracting Activity:** Department of Veterans Affairs, VISN 19, Denver VA Medical Center, Eastern Colorado Health Care System (ECHCS), Network Contracting Office 19.
2. **Nature and/or Description of the Action Being Processed:** Sole Source Justification and Approval for creating a Not to Exceed (NTE) Option Contract for the acquisition of Spectranetics vascular and coronary catheters for the cardiac and electrophysiology labs at the Denver VA Medical Center (VAMC).
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Spectranetics vascular and coronary catheters that are required for use as a life support device to treat in-stent stenosis. Total estimated value of the contract is \$668,000 (\$167,000 for the remainder of FY2017 and \$501,000 for the twelve (12) month option period in FY2018).
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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Requirement is for Spectranetics vascular and coronary catheters which are compatible with the products currently in use and part of systems. The Spectranetics catheters are compatible with the Laser machine, which is proprietary to Spectranetics Corporation. These two systems work together to treat in-stent stenosis.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** No other vendors on the market today have the Spectranetics products requested which are specific to certain specialized procedures.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Based on a comparison to a manufacturer pricelist, 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:** NAC, GSA, SAM, FPDS were surveyed and no other

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source was found for the catheters and supplies listed above that will work with procedures in place. The manufacturer was also queried and no authorized distributor was identified.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: The products listed are all currently in use parts of clinical systems that have been reviewed and evaluated by the Director of the Interventional Cardiology program. To change them would be disruptive requiring re-evaluation of current procedures and changing out of many of our products, some of which are proprietary systems. This would negatively impact patient care.
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: Spectranetics Corporation, 9965 Federal Drive, Colorado Springs, CO 80921
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: Based on the professional medical judgment of the cardiac interventionalists at Denver VA Medical Center. An alternative product would not meet all of the specifications necessary to treat veterans congruent with their clinical needs. 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.