

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A) For Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, Network Contracting Office 20. This procurement is for Boise VAMC - PR 531-17-3-019-0032.

2. Nature and/or Description of the Action Being Processed:

This will be a Firm-Fixed Price contract, for new mannequins, trading-in the old.

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

This is a request for Apollo Pre-Hospital mannequins. Total estimated value for this procurement is \$69,661.13.

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

Title 38 U.S.C. 8127 (b) provide the authority for Department of Veterans Affairs (VA) Contracting Officers (COs) to make awards to service-disabled Veteran-owned small business (SDVOSB) and Veteran-owned small business (VOSB) firms using other than full and open competition when certain conditions are met. In addition, VA PPM (July 25, 2016) –Class Deviation 819.7007 allows the CO to award to an SDVOSB on a sole source basis:

- () (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
- (X) (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):

FAR Part 6.302-5(b)(6), allows for awards to Service Disabled Veteran Owned Small Business(SDVOSB)s under 38 U.S.C. 8127. There is only one SDVOSB, authorized by the manufacturer, who could provide this item: Stripes Medical, a CVE verified and registered SDVOSB in VetBiz. In addition, as per VAAR 819.7007, the following items need to be met to sole source:

- (1) Anticipated award will not exceed \$5 million.
- (2) The JA is prepared as per 6.302-5(c)(2)(ii) and posted IAW FAR 5.301(d).
- (3) The SDVOSB had been determined a responsible source.
- (4) Award must be made at a fair and reasonable price.

VAAR 819.7007(b) "The contracting officer's determination to make a sole source award is a business decision wholly within the discretion of the contracting officer."

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
I contacted the manufacturer; they stated there is only one SDVOSB authorized by the manufacturer, Stripes Medical.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
IAW VA PPM Class Deviation 819.7007(a)(4), when making a sole source award the pricing must be made at a fair and reasonable price. Price provided is reasonable based on a comparison between the IGCE, manufacturer quote, and SDVOSB quote.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**
Market research was conducted by internet searches, FPDS and FBO searches, and industry inquiries.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
An email was sent to the CAE point of contact on the station submitted quote requesting SDVOSB information. A response was received stating Stripes Medical was CAE's SDVOSB distributor.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
No Sources Sought was posted based on information obtained from manufacturer regarding their SDVOSB partner.
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:**
No actions were taken to overcome barriers. There is only one SDVOSB distributor.
12. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**

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