

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA69D-17-AP-7145

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, Zablocki Medical Center, Milwaukee WI 53214. 2237# 695-17-3-081-5566
2. **Nature and/or Description of the Action Being Processed:** The action is for the urgent procurement of custom surgical packs. Custom surgical packs are imperative to the daily mission of the Operating Rooms, EP-Lab, and Cardiac Catheterization Lab. The custom packs provide a safer, and more efficient way for the clinical staff to prepare the sterile field for invasive procedures. This award is a short term, firm fixed price three-month bridge contract, with an option for an additional three months for the Milwaukee VAMC.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This procurement includes customized surgical packs. The packs will be assembled by the manufacturer, sterilized, and shipped directly to the medical center without charging a storage fee or distribution fees. The whole process takes 6-8 weeks from pack assembly to VAMC delivery. The delivery period for this action is 01JUL17-30SEP17 during the base period. The optional period will be from 01OCT17-31DEC17. The approximate cost of this action including all options is \$548,000.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - () (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - (X) (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):

Clement J. Zablocki VAMC and the Milo C. Humphrey CBOC currently procure packs via regional contract. The current contractor is not able to quality standards required by the facility. The packs will be assembled by Medline a manufacturer, sterilized, and shipped directly to the medical center

without charging a storage fee or distribution fees. The whole process takes 6-8 weeks from pack assembly to VAMC delivery.

Normally Changing pack manufacturers, and components takes greater than 6 months to implement, however since Medline was the medical center previous pack manufacturer they can bring the medical center back online within 6 weeks of contract award and have experience in providing the exact item required. Any additional delay in providing quality usable custom packs is a threat to the health and safety of veteran care at the Milwaukee VAMC.

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

Due to the urgent nature of this requirement a notice for sources sought was not posted. Not additional offerors will be solicited for these custom packs due to the nature of their construction

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

The anticipated cost of this procurement is considered fair and reasonable. The contracting officer solicited pricing from the manufacture and its authorized distributor as well as compared pricing to the previous prices charged for customs packs at the facility. Based upon this analysis the

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

Due to the urgent and unusual compelling nature of this requirement limited market research was conducted. Medline is the previous contractor to provide these items and can provide them in weeks rather than months as would be required by any other custom pack contractor.

Any Other Facts Supporting the Use of Other than Full and Open Competition: For continuation of medical surgical services it is imperative to make and award to a vendor that can be up and running within 6-8 weeks of notice. Because Medline held the previous contract with the medical center it greatly reduces the custom pack design and approval phase (6 months) and therefore they are the only vendor capable of meeting the medical center timeline.

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

Medline industries, Inc.
GeoMed, LLC

GeoMed LLC is an authorized distributor of Medline Industries products and would be able to provide the custom packs by sourcing them from Medline. Due to the unusually compelling nature of this requirement and ensure a fair and reasonable price the contracting officer is pursuing a direct

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

award to the manufacture Medline in order to eliminate additional costs from a distributor and to ensure the most rapid processing and delivery of custom packs to the Milwaukee VAMC.

9. **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:**

This contract is a short-term bridge contract for a three month period with an option for an additional three months to allow the contracting office to formulate and compete a long term contract for these customs packs.

10. **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.

_____	6/29/17
Patrick Ingol	Date
Supply Systems Analyst	
Milwaukee VAMC	

11. **Approvals**

- 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.

_____	29JUN17
David Picchi	Date
Contracting Officer	
FNCO 12 GLAC	

- b. **Director of Contracting (Required over \$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

_____	31 Jul 2017
Name	Date
NCO 12 GLAC	
Director of Contracting	