

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

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

Acquisition Plan Action ID: VA261-17-AP-10834

1. **Contracting Activity:** *Department of Veterans Affairs, VISN 21, VA Reno Medical Center has a requirement to renew the lease on 31 Pyxis medication dispensing stations, and system support units for med stations, currently installed and in use throughout various locations within the VA Reno Medical Center (ie: Primary Care, Endo, Radiology, Dialysis, Anesthesia Workroom, Infusion Clinic, Urgent Care, and Inpatient Pharmacy). Equipment interfaces with existing Pyxis storage units and Remote Manager. This contract will be for a period of (1) year.*
2. **Nature and/or Description of the Action Being Processed:** *VA Reno Medical Center has a requirement to renew the lease on 31 Pyxis medication dispensing stations, and system support units for med stations, currently installed and in use throughout various locations within the VA Reno Medical Center (ie: Primary Care, Endo, Radiology, Dialysis, Anesthesia Workroom, Infusion Clinic, Urgent Care, and Inpatient Pharmacy). Equipment interfaces with existing Pyxis storage units and Remote Manager. This contract will be for a period of (1) year.*

FAR13.5 Simplified Procedures for Certain Commercial Items: *This procurement is for Carefusion Pyxis Medicine Dispensing Stations 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:** *This will be a brand name justification, as the existing Pyxis systems currently in use at various departmental locations throughout VA Reno are manufactured by, and are being leased for, the VA Reno from the company CareFusion Solutions. These systems can only interface with equipment of the same manufacturer, as the equipment is proprietary. Contract systems and software are already in place, and the lease of existing Pyxis automated supply/medication cabinet systems must also be of the same manufacturer. The Pyxis system has been found to be the only unit with a tracking method for controlled substances, reporting capabilities, and compatibility with current VASNHCS technology, as the med stations integrate with CPRS and VistA systems. This is imperative, as the systems interface with one another in streamlining the medication distribution process.*

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

- (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):

Market Research was not conducted because this is a brand name justification, and any other medicine dispensing system will not be compatible with the existing Pyxis systems in use at the VA. In addition, the 31 units are currently in use and installed in various departments throughout VA Reno. These systems can only interface with equipment and software that is proprietary to CareFusion. If we compete this requirement it would be necessary to completely remove the current Pyxis systems, and the cost of doing that would not only greatly impact patient care, but also those costs could not be expected to be recovered through competition. Accordingly, Carefusion is the only firm capable of meeting the needs of the VA Reno.

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

If and when the facility updates or replaces the equipment and interface systems competition would be pursued for the equipment and maintenance.

7. Determination by the CO that the Anticipated Cost to the Government will be Fair and

Reasonable: *The anticipated cost will be considered fair and reasonable based on comparison with the costs from the current contract expiring on 30 September 2017, which has GSA pricing. The vendor is currently negotiating with the NAC to renew their GSA contract.*

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons

Market Research Was Not Conducted: *VIP was reviewed and there were no (0) vendors under this NAICS code, and Carefusion does not have any small business distributors for their Pyxis medstations due to their proprietary rights.*

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

There are no other facts.

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

- 10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** *There is no listing of sources that expressed an interest in this acquisition, as there is only one source available. This is a sole source brand name acquisition.*
- 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:** *Future acquisitions will be met through utilizing the Carefusion FSS contract currently in negotiations by the NAC. Barriers to competition will be relieved if and when the VA changes the systems that require compatibility with the medstations.*
- 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.

_____	9/11/17
Name	Date
Title	
Facility	

- 13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:** *This part if filled out by Contracting Staff as part of the Justification*

- 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.

_____	_____
Susan Battjer	Date
Contracting Officer	
Network Contracting Office (NCO)21	

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

Gary T Basile
Chief, Supply Branch II
Network Contracting Office (NCO) 21

Date