

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA244-17-AP-5404

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Pittsburgh VA Medical Center, PR: 646-17-3-233-0063

2. **Nature and/or Description of the Action Being Processed:**
Firm-Fixed Price contract to purchase 2 Heart Lung Systems.

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

4-Pump Console (includes: Timer,power supply, emergency power supply,electronic and power supply pack and mast system) 1 45-09-10 Cable holding and organizing system 1 45-09-11 Cable holding and organizing system 1 EA43-42-61 Cap for fast clamp (6 pcs.)
1 45-95-11USA Operators Manual 1 S5 Pump
Modules 10-80-00 Single roller pump
3 10-84-60 Pump Tray for RP150
1 10-84-64 Double Pump Tray 1 Variolock Tubing Gate and Accessories
1 10-81-30 Tubing Gate 3 10-61-72 Variolock Tubing Inserts for 3/8" X 3/32" and larger, BLUE
1 10-61-73 Variolock Tubing Inserts for 3/8" x 1/16" and smaller, RED
1 10-61-91 Variolock CP Inserts (2) 1:1 Silver with ratio engraved
1 S5 Control Desk 28-95-00 4-Slot System Panel
1 28-95-10 Display Module 4 S5 Control Devices and Monitors 22-20-20 Pressure sensor module (2 channel)
1 20-30-20 Temperature sensor module (4 channels) for YSI probes 1 23-40-00 Level Sensor (incl. 23-27-40, 23-27-41)
1 75-521-548 Holder (required for Level Sensor II 23-27-40)
1 23-27-60 Mounting pads, Level sensor II
1 23-45-00 3/8" Bubble sensor module w/420 mm holder, incl. (23-07-50, 23-26-96, 23-45-20 and 96-06-10)
1 10-07-48 Tubing insert, metal, 3/8 X 3/32, BLUE 1 S5 Accessories – Masts and Crosstrays
48-41-19 Crosstray 4 Position W/Power Outlet 1 Gas Blender
050-350-000 Sechrist Blender (incl. 050-350-100 & 050-350-200)
1 S5 Miscellaneous 35-05-70 Led Lamp 24V
1 45-41-50 Adapter Plate for Quest MPS
1 60-04-00 SCPC Trolley (includes
1 4-wheel console for supporting SCPC,
1 Telescoping mast with infusion rack,
1 Vertical Mast, 1 Push Grip, and 2 Mast connectors for push grip Tubing Inserts
10-07-48 Tubing insert, metal, 3/8" X 3/32", BLUE
1 10-07-49 Tubing insert, metal, 1/2 X 1/16, SILVER
1 SCP Centrifugal Pump 60-00-60 CP5 System
1 45-90-81USA Operator Manual for SCP System 60-00-50
1 60-05-60 ERC Clamp (500 mm)
1 45-91-71USA Operator Manual for the ERC Clamp
1 0395-2049 Edwards LifeScience/Baxter Truwave Cable
2 60-03-75 SCPC System(level/bubble/pressure configuration)
1 45-90-81USA Operator Manual for the SCP 1 45-90-91USA Operator Manual for the SCPC

Heart and Lung Perfusion Systems

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;
- () (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;

FAR13.5 Simplified Procedures for Certain Commercial Items:

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

USC 8127(c) which permits sole source award to SDVOSBs if certain criteria apply. The criteria include:

- (1) Such concern is determined to be a responsible source with respect to performance of such contract opportunity;
- (2) the anticipated award price of the contract (including options) will exceed the simplified acquisition threshold (as defined in FAR 13.000) but will not exceed \$7,000,000; and
- (3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price that offers best value to the United States.

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

Market research is described in Section 11 of this document below. For the purpose of this acquisition the authority cited in 38 USC 8127(c) is applicable. A Notice of Intent to Sole Source Synopsis will be posted to Fedbizopps (FBO) prior to contract award.

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

A fair and reasonable pricing assessment shall be made prior to contract award. The basis for this assessment will consist of pricing offered by the vendor in past acquisitions conducted in a competitive environment and pricing offered under Federal Supply Schedule contracts. The contracting officer will review these prices and conduct negotiations to ensure award at a fair and reasonable price.

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

The CO conducted Market Research to determine what other sources were available to meet the requirement. This included posting an RFI (VA244-17-N-1164) to FBO on 6-21-17. From this Market Research, it revealed that there are SDVOSB and VOSB vendors capable of fulfilling. After reviewing the results of the market research and the IGCE pricing, the CO decided to use the authority above citing as rationale " In the estimation of the CO, the contract award can be made at a "Fair and Reasonable" price that offers the best value to the Government. As such, since Veterans Healthcare Supply Solutions is an SDVOSB, in accordance with VAAR 819.7007 (b), a sole source award to Veterans Healthcare Supply Solutions is justified.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None

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

Veterans Healthcare Supply Solutions (VHSS)

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:**

None

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.

_____ Name: Joyce Cahill Title: Business Manager Facility: VAPHS	9.26.17 _____ Date
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13. **Approvals in accordance with the [VHAPM Part 806.3 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.

_____ Name: Ronald J. Kline Title: Contracting Officer Facility: NCO4	9-26-17 _____ Date
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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.

_____ Name: Dianne Smith NCO4, Division Chief Facility: NCO4	9/27/2017 _____ Date
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