

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: ___ VA770-18-AP-0137

1. **Contracting Activity:** Consolidated Mail Outpatient Pharmacy Leavenworth, KS the Department of Veterans Affairs Network 15 Contracting Office (NCO), 3450 S. 4th St Trafficway, Leavenworth, KS 66048 is the contracting agency. Supplies will be purchased for the CMOP Charleston location at 3725 Rivers Ave, Suite 2 North Charleston, SC 29405. 766-18-1-400-0140
2. **Nature and/or Description of the Action Being Processed:**
FAR13.5 Simplified Procedures for Certain Commercial Items: This request is for 350 cases of Pleurx Drainage Kits D# 50-7510 for CMOP dispensing. The Government Estimate is for the Charleston, SC CMOP. This item is used for peritoneal fluid drainage for Veterans with severe wound care. The Charleston, SC CMOP currently is the only CMOP dispensing large quantity of this item daily for all seven CMOP locations. Within the VHA brand name items may be prescribed by physicians when in their clinical judgment for the brand name item will provide a better therapeutic outcome for patients. In this case, the brand and number specific item name is requested above. Any other item would compromise VA standardized patient care, as it would contradict physician's orders.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** item D # 50-750 Pleurx Drainage Kits D# 50-7510 for peritoneal fluid drainage for Veterans with severe wound care. *Estimated cost is*
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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Veteran patients have had specific medication prescribed by a physician and the only item that will assist peritoneal fluid drainage for Veterans with severe wound care. Accordingly, this is the only brand and number specific item that will meet the Government's need without experiencing unacceptable delays in fulfilling its requirements and possibly endangering patient care.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** *This will be released on FBO.GOV as an unrestricted item*
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** : The IGCE contains the estimated cost to the government and serves as the recognition of F&R
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Products were searched in the NAC and GSA catalog and none of the items were found to be on contract.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Due to physician prescribed devices, the need to compete for this brand name specific item will result in Veterans receiving the appropriate items for the prescribed use.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No previous offers were received. Only the mandatory source contract supplies the specialized item. Pleurx Drainage Kits D# 50-7510 for peritoneal fluid drainage for Veterans with severe wound care

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: There were no actions taken to remove or overcome barriers as these are brand name specific items prescribed by a physician and no generic or other item will meet the needs of the government.

11. **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.

Glenda Dame

Glenda Dame
Title Inventory Mgt Supervisor
Facility VA CMOP Charleston

11/21/2017

Date

1. **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.

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

Name Joetta Eagle
Title Contract Officer
Facility NCO 15 (CMOP)

Date

- 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 James Justus
Supervisor (CMOP)
NCO 15 (CMOP)

Date

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$68 million) or approve (\$700K to \$68 million) for other than full and open competition.

_____ Not Needed _____

Name
VHA Head of Contracting Activity (HCA)

Date

- d. **VHA Senior Procurement Executive Approval (over \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

_____ Not Needed _____

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date