

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA770-18-AP-0139

1. **Contracting Activity:** Department of Veterans Affairs, VISN 15, CMOP Division. PR-IFCAP#766-18-1-400-0142.
2. **Nature and/or Description of the Action Being Processed:** The Charleston CMOP has a need to purchase one (1) Brand name specific SOFT TOUCH Lancet to support the necessary prescription fulfillment for Veterans. This J&A is in conjunction with the 2237 to continue providing an uninterrupted supply of direct patient care items required by the facility as prescribed by a VA doctor.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** SOFT TOUCH Lancet 100/Box (XL006); QTY 3,600; estimated price \$X
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
 - (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):** Brand Name justification does not permit Full and Open Competition.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The site is not requesting purchase from any certain vendor. Multiple vendors offer this particular name brand.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** Prices were determined fair and reasonable based on past procurements purchased by Government Purchase Card (GPC) or past orders placed by contracting and previous orders via NAC contract.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** It is believed that two or more SDVOSB's can provide the same product at a fair and reasonable price. Further, since this procurement is under \$150,000 a non-manufacturer waiver is granted. Therefore, the product can be set-aside for SDVOSB's.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The product is under the SAT and a waiver is granted. The government is not allowed to do business using wholesale trade or retail trade NAICS codes, searches must be conducted using the manufacturer NACIS code **325413**.

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

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:** NA.

12. **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.

James D. Justus
Branch Chief
NCO15 CMOP Acquisitions Division

Date