

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA770-18-AP-0183

Contracting Activity: Department of Veterans Affairs

VISN 15

Consolidated Mail Outpatient Pharmacy (CMOP) Acquisitions Division.

Department of Veterans Affairs

Network 15 Contracting Office (NCO 15)

CMOP Division

3450 S. 4th St Trafficway

Leavenworth, KS 66048

2237# 761-18-1-014-0077

1. **Nature and/or Description of the Action Being Processed:** Chelmsford Consolidated Mail Outpatient Pharmacy (CMOP) has a need to purchase two (2) Brand Name Med-Surg inventory items to support the necessary prescription fulfillment for Veteran patients was.

J&A for Brand Specific Med-Surg Items

- The requirement is for stock replenishment of medical supplies as listed below. Prescribed for patients and filled by CMOP at a firm fixed price.
- This J&A is in conjunction with the 2237 to continue providing an uninterrupted supply of direct patient care items required by the Facility.

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

Item #	Description/Part Number*	Qty	Brand name
1	SENSOR,GLUCOSE,ELECTRODE,ENLITE SENSOR,GLUCOSE VALUES RELAYED TO PUMP/CGM MONITOR	288	MEDTRONIC
2	GLUCOSE SENSOR (3) GUARDIAN MMT-7020 (XJ024)	144	MEDTRONIC

Delivery Date: **12/20/2017**

3. **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;

OFOC SOP Revision 06

Original Date: 03/22/11

Revision 06 Date: 08/30/2017

- () (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;

4. 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.

5. 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 named brand item.
- This is a brand name specific requirement.

6. 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.

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

- Thorough market research has been conducted and it has been found that either of the Pharmaceuticals named in Table 1 is not found to be on VA NAC or GSA contract.
- Several small businesses suggested by the end-user on the submitted Recommended Source List including VOSB and SDVOSB wholesalers/distributors may be able to provide these Pharmaceuticals items listed on Table 1. This information is being obtained from the end-user and from previous procurements of similar items on this request, which were done by seeking competing vendors for the items listed on Table 1 on the open market.

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

- After searching NAC & GSA, there are no available contracts for any of the items requested. A search of the Center for Veteran Enterprise Vendor Information Pages using the NAICS code 325413 revealed 20 SDVOSB or VOSB.
- A query at the SBA Dynamic Search portal returned 228 possible small business vendors.
- However, these vendors are not engaged in manufacture, but are distributors for large business wholesalers.
- The Government is not allowed to do business using wholesale Trade or Retail Trade NAICS codes, searches must be conducted using the manufacture NAICS code of 325413.

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

- NOT APPLICABLE

10. 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:

- NOT APPLICABLE

11. 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