

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA263-18-AP-1708

1. **Contracting Activity:** Department of Veterans Affairs, Network 23 Contracting Office, St. Cloud, MN, 56303.

2237 Number: 636-18-2-3062-0009

2. **Nature and/or Description of the Action Being Processed:** A firm-fixed priced purchase order to provide radiopharmaceuticals to the Central Iowa VA Health Care System.

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for radiopharmaceuticals 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:** Radiopharmaceuticals for the Central Iowa VA Health Care System for the base period of 1/1/2017 to 9/30/2017 with one three-month option period.

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):** This sole source acquisition is to continue procuring radiopharmaceuticals for the Central Iowa VA Health Care System from the incumbent contractor, Cardinal Health 414. The current contract will end on 12/31/2017. The proposed contract action will consist of a nine-month base period with one three-month option period, and will prevent adverse impact on the mission of the agency, which would occur should there be a lapse in the availability of radiopharmaceuticals to the Central Iowa VA Health Care System.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** For reason stated in paragraph 5, this contract is to provide radiopharmaceutical for a nine-month base period, and a three-month option period to prevent adverse impact on the mission of the agency, which would occur is there was a lapse in the delivery of radiopharmaceuticals. A new long-term contract is in process, and the new contract will be solicited through a competitive procurement on FBO.gov.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** It is anticipated the pricing will be consistent with those offered under the current contract which have already been determined to be fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A search was conducted on Vetbiz.gov, using NAICS code 325412, Keyword "radiopharmaceutical", and location of Iowa, and no sources were identified. In addition, a Small Dynamic Business Search was conducted on SBA.gov using NAICS code 325412, Keyword "radiopharmaceutical", and location of Iowa, and no sources were identified. Purdue University maintains a listing of all nuclear pharmacies within the United States, and only one large business, Cardinal Health is located within the geographical area of the Central Iowa VA Health Care System. A new long-term contract is in process, and the new contract will be solicited through a competitive procurement on FBO.gov.
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:** None.
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:** A new long-term in contract is in process, and will be competed on FBO.gov