

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

Acquisition Plan Action ID: VA246-18-AP-3635

1. **Contracting Activity:** Department of Veterans Affairs, VISN 06, Hampton VA Medical Center, 100 Emancipation Drive, Hampton, VA 23667

1. **Nature and/or Description of the Action Being Processed:**

This is a justification for other than full and open competition being executed IAW the authority of VAAR 819-7007 Sole Source Awards to a Verified Service-Disabled Veteran-Owned Small Business. This action will provide a short-term contract for the delivery of PHMB Antimicrobial Wound Matrix products (PurPly) to the Richmond VA Medical Center as their stock of this product is nearly depleted.

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

PurPly is currently used at the Richmond VAMC to treat biofilms (superficial clinically colonized wound) on ulcers of the body. The product is used for the purpose of preparing the ulceration properly with regards to controlling bacterial critical colonization prior to the application of bioengineered tissues, human amniotic membranes and even autografts to prevent enzymatic degradation of these tissues resulting in wasteful spending of wounds not properly prepared to receive these expensive allogeneic products. The total estimated value is approx [REDACTED]

3. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §3304(a)(5), 38 U.S. Code § 8127, as implemented by FAR 6.302-5 (Authorized or Required by Statute). COs may use the non-competitive (sole source) procedures authorized in VAAR 819.7007 or 819.7008 up to \$5,000,000. Check the specific VAAR clause used below:

- (X) 819.7007 Sole source awards to a verified service-disabled veteran-owned small business; or
() 819.7008 Sole source awards to a verified veteran-owned small business

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

Market research has revealed that ERA Health is a CVE Verified SDVOSB capable of satisfying this requirement at this time.

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

To minimize the current gap in service, market research was limited to procurement history which revealed that historically ERA Health has been the only CVE Verified SDVOSB to provide an offer on this requirement. During the performance of this contract, this office will attempt a recompete of a long term solution via GPE to seek competition to the maximum extent practicable based on the results of additional market research.

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

The Contracting Officer anticipates that Fair and Reasonable pricing shall be received after a review of Historical Pricing offered by ERA Health.

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

Market Research was limited to procurement history which revealed that ERA Health has successfully performed these contracts in the past. A query into the VIP Database was executed to validate that ERA Health LLC dba Veterans Health was currently listed as a CVE Verified SDVOSB

Two previous contracts were placed with ERA Health LLC dba Veterans Health for the PurPly AM Wound Matrix product in the last twelve (12) months:

Requirements Contract, Indefinite Delivery Vehicle, VA246-17-D-0089
Purchase Order, VA246-17-P-8935

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

The PurPly AM Wound Matrix product is required for patient care at the Richmond VAMC. Due to the nature of the product and time constraints, the proposed Bridge Contract to ERA Health LLC dba Veterans Health fulfills an immediate and continued need for the Government.

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

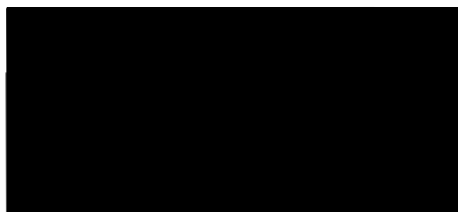
ERA Health, LLC
Dba Veteran's Health
4428 Overton Crest Street
Fort Worth, TX 76109-2521

DUNS# 788518806

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:**

11. During the performance of this contract, this office will attempt a recompete of a long term solution via GPE to seek competition to the maximum extent practicable based on the results of additional market research.

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.



1/10/2018
Date

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.

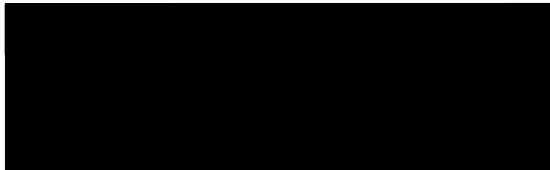


KEITH W. HUNTER
Contracting Officer
Network Contracting Office 6

10 Jan 2018

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.



1/10/2018

Date