

**DEPARTMENT OF VETERANS AFFAIRS**

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

**Acquisition Plan Action ID: VA770-18-AP-0296**

**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# 763-18-2-021-0280**

- 1. Nature and/or Description of the Action Being Processed:** Chelmsford Consolidated Mail Outpatient Pharmacy (CMOP) has a need to purchase one (1) Brand Name Med-Surg inventory item 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:**

**3.**

Line #	VA ID	Description	NDC/PC	Qty	Unit Price	Total Price
1	8741	SENSOR, GLUCOSE, CONTINUOUS, DEXCOM G4 PLATINUM (XI431)	DEXSTS-GL-041	960	\$ [REDACTED]	\$ [REDACTED]

Delivery Date: **2/13/2018**

- 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;

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

**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.

**8. 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.

**9. 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 twenty-one (21) 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.

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

- NOT APPLICABLE

**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:**

- NOT APPLICABLE

**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 1030208

Digitally signed by James D. Justus

1030208

Date: 2018.01.25 13:41:22 -06'00'

James D. Justus

Date

Branch Chief

NCO15 CMOP Acquisitions Division