

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA257-18-AP-2830

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 17 for the Cardiology Department at the Dallas VA Medical Center, 549-18-2-081-4482
2. **Nature and/or Description of the Action Being Processed:** Network Contracting Office 17 intends to negotiate and award a contract, on a sole source basis, to Biosense Webster, Inc., 3333 S Diamond Canyon Rd, Diamond Bar, CA 91765 for the acquisition of their Electrophysiology Carto ablation system (SmartTouch Catheter).
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Requesting approval to use updated technology from Biosense Webster for their Electrophysiology Carto ablation system. The old catheters were on contract, but new Thermocool SmartTouch SF catheters are not on contract. The newer technology allows for 52% reduction in fluid delivered, 19% reduction in overall procedure time, 14% reduction in overall ablation time and 55% reduction in total fluoroscopy time via the new catheter. The estimated contract value of this procurement \$470,880.00.
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):** The Cardiology Department currently utilizes an ablation system that supports these catheters. Without these catheters, a new system would be required; a new ablation system will cost the Government approximately \$200,000. Without these catheters, all ablations would be sent into the community at an approximate cost of \$80,000 per ablation. We do multiple ablations a week at our facility. This would be a tremendous cost to the VA. Biosense Webster, Inc. is the sole manufacturer and distributor for the SmartTouch Catheter. A proprietary letter is provided in the procurement briefcase.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** To stimulate competition, a notice of intent will be posted to FBO under 36C25718Q0418 on February 01, 2018.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Network Contracting Office 10 awarded 36C25018N1177 to Biosense Webster, Inc. on 01/18/2018 for \$20,667.38. The difference in pricing is due to quantities and this requirement has one additional line item, unit pricing is similar to this requirement. Thus, IAW FAR 13.106(a)(2)(II), price is fair and reasonable based on comparison of proposed prices with prices found reasonable on previous purchases.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted IAW FAR 10.002. It was found that this requirement is commercially available through the commercial marketplace. Pursuant to FAR 8.002 and FAR 8.003, it was found that this requirement could not be fulfilled using mandatory Government sources or other mandatory sources. Furthermore, key word searches were conducted on GSA Advantage and the VA NAC, it was found that this requirement could not be fulfilled through a strategic source.

A key word search of "thermocool smarttouch catheter" was conducted on VIP. This query returned six matches: Called 3T Federal Solutions, LLC and Alliant Enterprises, LLC; however, it was determined they would not be able to fulfill this procurement.

A key word search of "smarttouch catheter" was conducted on the SBA Dynamic Small Business Search Tool. This query did not return any vendors (No profiles met your search criteria).

Given these facts, recommend negotiating a contract, on a sole source basis, to Biosense Webster, Inc. as they are the exclusive and sole distributor for the SmartTouch Catheter. A fair and reasonableness price determination will be made prior to award.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** As previously stated, Biosense Webster, Inc. is the manufacturer and sole distributor for the SmartTouch Catheter.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No other sources, have expressed, in writing, their interest in this acquisition. A notice of intent and an approved justification will be publicized to FBO following approval.
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:** Network Contracting Office 17 will work with the Dallas VA Medical Center, Cardiology Department to continue monitoring the latest trends in Electrophysiology Carto ablation system development.
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.

Date _____

[illegible]

Date _____

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Date _____