

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA256-18-AP-4024

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 16 for VISN 16, Veterans Health Care System of the Ozarks in Fayetteville, AR.

Purchase Request (2237) Number: 564-18-2-1099-0031

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

Requesting approval of this Justification of Other Than Full and Open Competition to meet the need of the Veterans Health Care System of the Ozarks for a SCRIPTPRO brand name only Compact Robotic Medication Dispensing System. This Pharmacy automation equipment is required for outpatient dispensing for the new clinic activation in Joplin, MO. The equipment will be used to process and fill using an automated filling and labeling machine as well as manual filling with manual label generation.

The Contracting Officer anticipates award of a new firm-fixed price purchase order.

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

The facility will require equipment that seamlessly interfaces with the existing SCRIPTPRO automated filling equipment at all other applicable sites (Fayetteville, AR; Mt Vernon, MO; Fort Smith, and Branson, MO).

ScriptPro compact robotic system contains and fills up to 75 cells of individual medications along with peripheral equipment such as system server to supply information to separate system PC unit with label printer for manual processing and labeling of medication fills not supplied in the robotic system. The workflow system will also require a device for electronic signature capture for validation of dispensed medications. The products required are as follows:

Description/Part Number*	Qty
Compact Automatic prescription filling and dispensing machine	1
Automation Central Platform	1
Automation Data Terminal Printer	1
Electronic Signature Capture Pad	1
Standard Interface between Vista and Automation	1
Virus Protection Interface Upgrade	1
Installation of purchased equipment	1

The Estimated Cost is [REDACTED]

Delivery: 90 Days ARO

4. Statutory Authority Permitting Other than Full and Open Competition:

- ☒ (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):

Only One Responsible Source (FAR 6.302-1) – This is a Brand Name only procurement to supplement existing ScriptPro system currently in use throughout the Veterans Health Care System of the Ozarks (VHSO). The required equipment must fully and seamlessly integrate and interface with the existing outpatient prescription filling system equipment used within the medical center and the multi-campus sites. Only ScriptPro USA, Inc manufactures, installs, and supports the existing ScriptPro equipment at the VHSO. The brand name only, add-on requirement is requested for standardization with existing equipment for the ScriptPro dispensing system currently in use at VASNHCS pharmacy. It is essential that this system operates and be compatible with the existing ScriptPro dispensing system currently place. The warranty on the current ScriptPro equipment in place at the facility is voided if the equipment or software has been installed or modified other than as authorized in writing by ScriptPro. Furthermore, the system works along with the Pharmacy VistA System and utilizes TCP/IP for communication with VistA. The ScriptPro brand system will provide regular updates and work alongside all the several types of ScriptPro units that are already in place at VHOS.

The use of a different vendor's product would negate the ability to interface with existing servers and equipment from other sites and not allow support from the existing areas of equipment already in use. The software used in our current workflow system is proprietary and owned by ScriptPro. The acquisition of ScriptPro brand equipment is essential to the Government's requirements, thereby precluding consideration of a product manufactured by another company

The required add-on equipment is peculiar to ScriptPro USA, Inc. only, and therefore will not allow for free and open competition.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: In an effort to ensure offers were solicited from as many potential source as practical, the Contracting Officer published Requests for Information on GSA eBuy and FBO, which open on February 9, 2018 and closed on February 15, 2108, to identify interested, capable contractors to provide ScriptPro brand or equivalent automatic prescription filling and dispensing machine to include

installation and support service for the Joplin, MO Community Based Outpatient Clinic. Any firm that believed it could provide the equipment listed were encouraged to submit written notification to the Contracting Specialist with requested information for consideration before the close of the Request for Information.

GSA eBuy RFI RFQ1265236 generated two responses; one from ScriptPro USA, Inc.; and one from Parata Systems. LLC to provide equivalent products.

FBO RFI Number 36C25618Q9174 generated one response from, Four Points a Service Disabled Veteran-Owned Small Business and authorized reseller of ScriptPro products.

7. Determination by the CO that the Anticipated Cost to the Government will be Fair and

Reasonable: The Contracting Officer has determined that the anticipated price has already been determined to be fair and reasonable. The Contracting Office will compare the contract price list with the vendor's quote.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons

Market Research Was Not Conducted: As described in Section 6 above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting inquiries from interested parties.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: Compatibility is also necessary to facilitate drug accountability, monitoring of dispensed medications and accountability of controlled substances. The system needs to be compatible with existing operations to support operations and anticipated growth of this service. ScriptPro equipment is already utilized throughout the VHSD. Standardization of the systems improves patient care by decreasing medication errors and maximizing efficiency. Utilizing the same system decreases training and staff education, streamlines operations, and decreases expenses related to the extensive training that would be required. Maintaining the ScriptPro system would not require any additional training, programming, interface, or IT changes.

This request for "add-on" equipment to our existing system vs. purchase a separate stand-alone system. This equipment requires on-going support purchase as well. Expansion of the facility's current system provides the best value for direct cost and support. The expansion of the existing equipment is estimated at \$[REDACTED] versus a total equipment replacement of over \$[REDACTED] represents the best use of equipment dollars spent.

All ScriptPro equipment, software and hardware are proprietary to ScriptPro USA, Inc.

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

- a. Scriptpro USA Inc. (Small Business) - Provided a response with the brand name requested.
- b. Four Points Technology, LLC (VIP Verified SDVOSB) - Provided a quote. It indicated that it is an authorized distributor for Scriptpro and can meet VA's requirements.

- c. Parata Systems, LLC (Small Business) – Provided a quote for a proposed equivalent product. However, the proposed product is not compatible and will not interface with the existing ScriptPro equipment current used at the facility.

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:

The VA will continue to monitor the commercial marketplace to determine sources that can provide Automated Prescription Dispensing Systems that can meet VHSO's requirements. However, the end user has verified with our ScriptPro Sales Representative that they do not currently offer and do not plan to offer in the future the option for other product contractors to interface with their system.

- 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.

[Redacted Signature]

02-16-2018

Date

Veterans Health Care System of the Ozarks (564)

13. Approvals in accordance with the:

- 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.

[Redacted Signature]

2/16/2018

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.

[Redacted Signature]

Digitally signed by [Redacted]

[Redacted]

Date