

## DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA252-18-AP-3600

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, Great Lakes Acquisition Center on behalf of the Jesse Brown VA Hospital, Chicago, IL. Purchase request 537-18-3-135-0066

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

This is a sole source justification to establish a firm-fixed price contract with Carefusion for the lease of medication dispensing equipment and related components for the Jesse Brown VA Hospital, Chicago, IL on an interim basis.

This procurement is 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:** Medication dispensing equipment and related components are required for the Jesse Brown VA Hospital to allow for controlled dispensing and tracking of medications within the pharmacy and in patient care areas. This system also assists in medication inventory management. The estimated contract amount is \$370,578.00 for a period of approximately six (6) months.

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

**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 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):** Carefusion is the only contractor that can reasonably provide for the continued lease of the Pyxis system that is currently in the Jesse Brown Hospital in order to avoid downtime while a new procurement is processed. Removal and possible replacement with another system will require a significant lead time and cannot be achieved by the required beginning of the new period. Upon submission of a new procurement package, an acquisition strategy will be determined based on the facility's requirement.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Upon receipt of a new procurement request package, an assessment will be conducted to determine the availability of additional sources of supply for the medication dispensing requirement for the Jesse Brown VA Hospital. If it is determined there are potentially other contractors that can satisfy the requirement of the facility, a competitive procurement will be pursued.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The items included in the lease were previously on contract through the National Acquisition Center (NAC) in Hines, Illinois. The pricing has been in accordance with the NAC Federal Supply Schedule (FSS) contract that was determined to be fair and reasonable by the NAC Contracting Officer upon award and exercising of options on the contract. Pricing for the equipment and components has not increased other than within inflationary allowances and, though this procurement is open market for this period, the pricing has not increased.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** In accordance with the Vets First Contracting Program, 38 U.S.C 8127 & 8128 implementation Policy and Procedures, a search was conducted on the Vendor Information Pages (VIP) using keyword medication which returned 32 contractors, keyword medication dispense which returned 0 contractors, keyword carefusion which returned 2 contractors, and keyword pyxis which returned 0 contractors. Though contractors were found, none of the searched contractors are able to assume the lease from the manufacturer, Carefusion, with the regards to the lease of equipment currently within the facility. Additionally, Carefusion is the only contractor known to lease the Pyxis equipment. A search on Unicor yielded no medication dispensing systems. A search on AbilityOne yielded no medication dispensing systems.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Medication dispensing and control is critical to the Jesse Brown VA Hospital in order to provide medications as required for treatment. Use of the system allows for dispensing from the pharmacy and in patient care areas. Lack of a dispensing system would cause a significant delay in dissemination of medications in patient care areas.
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 competitive procurement is projected to follow this interim action within the constraints of the time available to procure. Additional market research will be conducted by the Contracting Officer to determine the availability of additional sources of supply at that time.
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.

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Mila Albert  
Title  
Jesse Brown VA Hospital

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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.

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Jessica Rasmussen  
Contracting Officer  
Great Lakes Acquisition Center (GLAC) , NCO 12

\_\_\_\_\_  
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.

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David Picchi  
NCO 12/Branch Chief, Supply Team  
GLAC

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Date