

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>SAT)**

Acquisition Plan Action ID: VA261-18-AP-9658

1. Contracting Activity:

Department of Veterans Affairs, VISN 21, Reno, Mather, Palo Alto, and San Francisco Medical Centers.

2237 No: 640-18-3-554-0023

VA POC: Thomas Christoffel
VISN 21 Biomedical Engineer – RTLS Program Manager
650-493-5000 x 63750
Thomas.christoffel@va.gov

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

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for the annual license and subscription to CensiTrac surgical instrument tracking software 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.

A new Firm Fixed Price open market contract for a base + three (3) option years will be awarded to Censis Technologies, Inc.

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

CensiTrac is a surgical instrument tracking software system that provides real time instrument tracking throughout the sterilization process. This tracking provides visibility and accountability of the trackable VA surgical instruments and interfaces with OR schedulers, sterilizers, washers, and other SPS equipment to ensure the instruments have gone through the proper sterilization process.

Base Year Amount:	\$168,647.36
Base Year Period of Performance:	07-01-2018 – 06-30-2019
Overall Contract Amount:	\$699,791.36
Overall Contract Period of Performance:	07-01-2018 – 06-30-2022

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 by 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):

Censis Technologies, Inc. holds the proprietary rights to CensiTrac software. They created, developed, and provide support for this software and are the only responsible source that is capable of meeting the requirement.

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

A keyword search for "Censis" in VIP did not yield any results, however, a NAICS code search in VIP found that there are 348 SDVOSB/VOSBs under the NAICS code 511210. To maximize visibility of this requirement to capable SDVOSB/VOSBs and all other vendors, RFI No. 36C26118Q0918 was posted on 05-30-2018 seeking sources that could provide the CensiTrac software annual license and subscription or a brand name equal. The RFI closed on 06-04-2018 and no responses were received.

Additional searches in NASA SEWP, GSA, VA NAC, DSBS, and FPDS databases did not yield any results. Correspondence with Censis Technologies, Inc. confirmed that they do not have any resellers of their software product and are the only responsible source that meet the requirement.

An award notice shall be posted on FBO IAW FAR Part 5.201.

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

Seraches in FPDS found two (2) recent awards for the same requirement:

Contract No.	Awarding NCO	Date Signed	Amount
36C25618P1387	NCO 7	05-11-2018	\$44,261.84
36C24518F2576	NCO 16	05-01-2018	\$51,921.84

The quoted price for the base year of this requirement is \$42,161.84 per facility. This price is \$100.00 less than the awarded amount under Contract 36C25618P1387 and \$7,760.00 less than the awarded amount under Contract No. 36C24618F2576.

Based on this information, it is determined that the quoted price for this requirement is considered fair and reasonable.

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:

All supporting facts provided above.

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

Censis Technologies, Inc.

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:

I recommend that the market be surveyed at the end of overall contract period of performance to determine if there are other vendors that have developed a similar instrument tracking software system that can meet the needs of the VA.

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.

Thomas Christoffel

Thomas Christoffel
VISN 21 Biomedical Engineer – RTLS Program Manager
VA Palo Alto Medical Center

June 22, 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.

Philip "Gabe" Caganap
Contracting Officer
NCO 21

06-22-2018

Date

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >SAT

- b. **One Level Above the Contracting Officer (Required over SAT but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

Don Neal
Branch Chief – Supply I
NCO 21

Date

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$68 million) or approve (\$700K to \$68 million) for other than full and open competition.

n/a

n/a

Name
VHA Head of Contracting Activity (HCA)

Date

- d. **VHA Senior Procurement Executive Approval (over \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

n/a

n/a

Jan R. Frye
Deputy Assistant Secretary for Acquisition and Logistics
Senior Procurement Executive (SPE)
Department of Veterans Affairs

Date