

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: _36C263-18-AP-1659_____

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, St. Cloud VA Health Care System, 4801 Veterans Drive, MN 56303. Organization Activity: Minneapolis VA Health Care System (MVAHCS), One Veterans Drive Minneapolis, MN 55417, 618-18-4-040-0393.

2. **Nature and/or Description of the Action Being Processed:**
This procurement is for a brand name only, SDVOSB set-aside, firm fixed price purchase order for Laerdal SimMan 3G Mankins for VISN 23 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:**
VISN 23 has had a regional simulation program since 2008. It was founded with a Strategic Initiative which included the acquisition of Laerdal SimMan 3G High Fidelity Patient Simulators. Since receiving them in 2009, the program has grown to having 20 SimMan 3G manikins within the VISN 23 equipment fleet. All manikins require periodic preventive maintenance. We have a need to replace 8 original manikins. A trade-in credit will be received for the 8 original manikins to offset some of the replacement cost. The replacement also includes new instructor laptops & PCs for the 8 manikins.

The estimated value of the proposed action is [REDACTED]
Period of Performance: 90 days ARO

4. **Statutory Authority Permitting Other than Full and Open Competition:**
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):**
This is a Brand Name Only justification for VISN 23 which has a requirement to replace 8 of their 20 Laerdal SimMan 3G manikin trainers. These 8 were the original manikins purchased for the VISN in 2009 and 2011 and need to be replaced. New Laerdal SimMan 3G brand name manikins are required for compatibility with the other 12 SimMan 3G manikins and Laerdal training module software in VISN 23. No other manufacturer's manikins or equipment are compatible with the Laerdal training equipment utilized in VISN 23. Laerdal has verified that there are 2 SDVSOB authorized distributors for their equipment. Based on this information a Brand Name Only SDVSOB set-aside solicitation will be issued.

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

Market research was conducted to determine if there were authorized distributors for Laerdal equipment. Laerdal responded stating that there are 2 authorized SDVOSB distributors for their equipment. As there are 2 SDVOSB vendors that can provide the required items a brand name only SDVOSB set-aside solicitation will be issued to promote competition.

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

Price will be determined fair and reasonable through competition and in comparison to previous prices paid.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

VetBiz was searched under NAICS code 339112 which returned 303 results. The manufacture Laerdal, a small business, was contacted and they provided verification that there are 2 SDVOSB authorized distributors (BMK Ventures and Beacon Point Associates) for their equipment.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: NA

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

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:

Market research will be conducted if future procurements are needed to determine if there are other manufactures' products that are compatible with the existing MVHCS equipment.

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.



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.



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.

