

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, Louis A. Johnson VA Medical Center (Station 540), Purchase Request.
2. **Nature and/or Description of the Action Being Processed:** This is a request for other than full and open competition for Stryker Gamma 3 Instrumentation.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The items needed include basic and disposable instruments as well as implants used for hip nailing procedures.
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):** 41 U.S.C. 253(c)(5) and 38 U.S.C. 8123 as illustrated in VAAR 806.302-5(b)(1) authorize the procurement of orthopedic and prosthetic appliances without providing full and open competition. This instrumentation includes brand name items available from Stryker and have been selected by our orthopedic surgeon at this facility. Our orthopedic surgeon is experienced in using this specific instrumentation for hip nailing procedures.
6. **Description of Efforts Made to Ensure that Offers Are Solicited from as Many Potential Sources as Deemed Practicable:** None.
7. **Determination By the Contracting Officer That the Anticipated Cost to the Government Will Be Fair and Reasonable:** The prices for this instrumentation are comparable to similar instrumentation from another manufacturer.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Previous market research revealed that this particular instrumentation is not available through any FSS source and is available only in the open market.
9. **Any Other Facts Supporting the Use of Other Than Full and Open Competition:** None.
10. **Listing of Sources that expressed, in writing, an interest in the acquisition:** None.

11. Statement of 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: None.

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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. (This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)

Jeanne L. Fridley

SIGNATURE

9/4/12

DATE

Jeanne L. Fridley

NAME

Administrative Officer

TITLE

Surgery Service

SERVICE LINE/SECTION

Louis A. Johnson VAMC 540

FACILITY

(10) APPROVALS IN ACCORDANCE WITH VHA Procurement and Logistics SOP, dated March 22, 2011:

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Kristina Weir

Kristina Weir,
CONTRACTING OFFICER

09/04/2012

HIGHER LEVEL APPROVAL (For orders over \$3,000): X REQUIRED

b. Supervisory Contract Specialist for NCM : I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

Brent Burns Chief, Contracting

DATE