

DEPARTMENT OF VETERANS AFFAIRS

Justification for Brand Name Awards IAW [FAR 13.106-1](#) For Over Micro-Purchase Threshold but Not Exceeding the SAT (\$250K)

Acquisition Plan Action ID: 36C252-19-AP-3427- FlexiVent FX2 for Research
2237 Number: 607-19-3-8475-0241

1. **Contracting Activity:** Department of Veterans Affairs, SAOC-VISN 12, Great Lakes Acquisition Center, 115 South 84th Street, Suite 101, Milwaukee, WI 53214.
2. **Organizational Activity:** Department of Veterans Affairs, William S. Middleton VA Medical Center, 2500 Overlook Terrace, Madison, WI 53705-2286
3. **Brief Description of Supplies/ Services required and the intended use/Estimated Amount:** The William S. Middleton VA Medical Center Research Department in Madison, WI is requesting one (1) SCIREQ Brand Name Only Model FV-FXM2P-flexiVent FX Module 2 Package, and Model FV-FXM3P-flexiVent FX Module 3 Package. This equipment is required to study how Obstructive Sleep Apnea (OSA) affect lung diseases (such as asthma, pulmonary fibrosis and chronic pulmonary lung diseases) in small rodents, such as mice and rats. This machine is a Computer-controlled equipment suite for measuring a wide variety of lung function parameters in anaesthetized, ventilated subjects. The module we propose to purchase is appropriate for work with subjects 150 – 600 grams in weight, which covers most adolescent and adult rats. This research is essential to the VA as these results will provide data that could eventually formulate new medical treatments for Veterans. Currently the Madison VA Medical Center has one FlexiVent from SCIREQ that was purchased in 2013, but this detailed research requires at least 2 FlexiVents. The price of the Brand Name item is approximately \$22,000.00.

Unique characteristics that limit availability to only one source, with the reason no other supplies or services can be used: The William S Middleton VA Medical Center Science Department is requesting SCIREQ Brand Name Only FlexiVent Module 2 package and Module 3 package. These exact parts will allow the research department to perform preclinical research on lung function in healthy rodents and in rodents of lung diseases. Specifically, these machines will allow mechanical ventilation of anesthetized rodents. This machine will also allow pressure and volume controlled breathing maneuvers to obtain accurate, precise measurements of lung mechanics in rodent models of lung disease for research purposes. This machine will also allow the delivery of nebulized experimental compounds and medications to rodents for research purposes. This machine will allow operate under forced oscillation technique, with mechanical and pressure-controlled ventilation. The restrictive environment conditions will be under 40 degrees Celsius with 90% humidity and non-condensing.

4. **Description of market research conducted and results or statement why it was not conducted:** Market research was conducted by the CO by starting to look within the VIP website. The CO searched under NAICS 334516 and keyword 'FlexiVent' and the CO found zero results. The CO searched under NAICS 334516 and keyword 'SCIREQ' and the CO found zero results. The CO also

search the MSPV-NG for the part numbers from the quote and found zero results. The CO also searched the GSA Advantage website and found no results. The CO also searched the DSBS under 334516 and SCIREQ and no results came up. The CO also checked FPDS-NG for any previous purchases, and the CO did find that all procurements for "FlexiVent" revealed only SCIREQ full company name (SCIREQ Scientific Respiratory Equipment Inc.) as the awardee since 2005. Based on this information, the CO reached out to vendor in Quebec and inquired about distributors, and the sales person told me that their FlexiVent is proprietary and is only sold by their company to hospitals and research facilities. Based on this information, The CO is requesting a FAR 13 (Brand Name Only procurement IAW FAR 12.101© and FAR 13.104 to allow the Government to obtain the best value.

Contracting Officer's Certification: *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Name- Shari Lee
Title- Contracting Officer

____9/16/2019_____
Date