

**Department of Veterans Affairs
Office of Acquisition and Logistics
National Acquisition Center, National Contract Service, CMOP Division
Hines, Illinois 60141**

**Justification for Other Than Full and Open Competition
Brand Specific Medtronic Minimed Products**

The following is formatted as prescribed at FAR 6.302-1.

1. Nature and/or description of the action being provided.

The National Contract Service, National Acquisition Center, CMOP Division of VA's Office of Acquisition and Logistics plans to solicit open market for Brand Specific Medtronic Minimed Products that are not found on contract.

2. Description of the supplies/services required to meet the Agency's needs.

These Medtronic Minimed Products are used for insulin dependent patients. These infusion products are pump specific and not interchangeable. If the CMOP National Drug File entry has a specific brand or item number in the prescription description (print name field), they are only allowed to dispense that exact item match. The VA doctors writing the prescriptions do so based on clinical need and write the prescriptions accordingly to provide critical patient care.

MMT-326A	RESERVIOR, MINIMED
MMT-397	SET, INFUSION MINIMED

The estimated dollar value is \$502,000.00.

3. Identification of the statutory authority permitting other than full and open competition.

41 U.S.C. 253(c)(1).

4. Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

This is a brand name only requirement based on clinical need in accordance with paragraph two above.

5. Description of the efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies.

A pre-solicitation notice will be publicized on the Federal Business Opportunities website at www.fbo.gov after CRT. The RFQ will be posted after CRT. Typically we will award to a small business concern and not the manufacturer.

6. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The Contracting Officer will seek adequate price competition to determine fair and reasonable pricing.

7. A description of the market research conducted, the results or a statement of the reason market research was not conducted.

There are no newly developed, clinically acceptable substitutes for the Medtronic Minimed products. The medical/surgical catalog search tool was utilized to see if these items are on contract.

8. List of sources, if any, that expressed interest in the acquisition.

This has been solicited previously as full and open competition, typically awarded to a small business concern. Five offerors responded to the solicitation. Three SDVOSB's; one SDB; and one Large.

9. Statement of actions the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

We are trying to get Medtronic to add these products to their FSS contract. We will validate on future requirements that there are no clinically equivalent products.

TECHNICAL AND REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this justification and which form a basis for this justification are complete and accurate.

PETER J CARBREY 168392

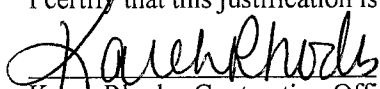
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Date: 2012.11.21 14:05:20 -0600

Peter Carbrey
National CMOP Logistics Manager

Date

CONTRACTING OFFICER CERTIFICATION

I certify that this justification is accurate and complete to the best of my knowledge and belief.



Karen Rhodes Contracting Officer
CMOP Division, National Contract Service

11/21/12
Date

VA National Acquisition Center, Hines, Illinois

Frank Zacchigna
Frank Zacchigna, Chief CMOP Division
National Contract Service

11/21/12
Date

VA National Acquisition Center, Hines, Illinois
Concur ☒ Do Not Concur ()

Steve Thomas
Steve Thomas, Director
National Contract Service

11/26/12
Date

VA National Acquisition Center, Hines, Illinois
Concur ☒ Do Not Concur ()

Approval of this action is granted based on the above Justification and Certifications from CMOP and the Contracting Officer.

Craig Robinson
Craig Robinson, Head of Contracting Activity
VA National Acquisition Center, Hines, Illinois
Approve ☒ Do Not Approve ()

12/10/12
Date