

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs,
VISN 16,
VA Gulf Coast Veterans Health Care System,
400 Veterans Blvd
Biloxi, MS 39531

2237 Transaction Number: 520-13-2-112-0075

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

These are initial order of items for stock. Stock items needed for continuity of care.

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

Vascular interventional products to support four vascular surgeons contracted to this facility. These products will enable the facility to treat patients in house rather than sending them by consult on a fee basis to external providers. This will be an enormous cost avoidance/savings for the facility and will provide a more consistent level of care with the all aspects of the patients care managed in house.

4. Statutory Authority Permitting Other than Full and Open Competition:

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;(Brand Name)

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

The brand name is required as this is a product that medical staff are trained to use and these items are compatible with the equipment currently in the facility. The surgeons and staff are making this decision based on their professional training, knowledge and experience. It is essential to the health and welfare of the veteran and the reputation of this facility that the surgeon chooses implantable products in which they have the training, experience and confidence.

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

The intent to sole source for brand name only. This will allow Boston Scientific, and their authorized distributors, Cardinal Health, Owens Minor and Medline to submit offers. FBO will also allow any other firm the opportunity to make an offer should they feel they meet the requirements of the solicitation.

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

Fair and Reasonable pricing is expected based on competition. Prices submitted will be based off published price lists. These are commercial items, sold to the government and commercial customers alike. Prices for the government will be based on best customer value.

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

Market research was conducted and indicated only four vendors are authorized to sell these products. This facility has a long standing relationship with this vendor. Internet search showed 3 third party vendors are authorized as distributors for these items. The NAC website, GSA website and general Google searches were conducted with no viable alternate source revealed.

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

Medical staff would require training/certification prior to using products other than these items. Other stent products would not be compatible with peripherals currently in use at the facility.

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

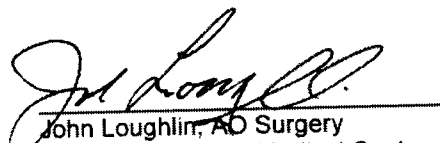
Two SDVOSB firms indicated that they could provide the products but upon further questioning and review, one firm, All Hands Medical Solutions LLC, indicated that they were a newly established business (less than 3 MOs) and were hungry for business. The other firm, Bitterroot Services & Technology indicated they could provide Boston Scientific products. On their website that indicated they specialize in medical equipment, technology, variety of sales and consulting options. They also indicated in the past years that they provided farm implements, snowmobiles, fertilizer application and unique wild grass seed to various government agencies. Although their capabilities of being an authorized distributor of Boston Scientific were questionable, they were able to provide a statement from Boston Scientific that they were able to provide products of Boston Scientific's Electrophysiology division. However, the sales representative that produced the statement made it clear that she could not speak for the Peripheral Intervention or for any other department of Boston Scientific.

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

It is near impossible to predetermine which of several types or sizes of Stents are required for each patient. Purchasing a comprehensive lot of Stents from several manufacturers and ensuring facility level surgeons and staff are trained on these devices is not cost effective, nor an efficient use of training hours. At the station level little can be done other than publishing the requirement on FBO and ensuring all vendors that can meet the solicitation requirements are given the opportunity to quote.

At the agency level, the National Acquisition Center could solicit and develop contracts that offer a broad spectrum of Stent products from several manufacturers. This initiative would make products immediately available under VA Federal Supply Schedules at reasonable prices.

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.


John Loughlin, AD Surgery
VAGCVHCS Biloxi Medical Center, Biloxi, MS

3/14/13
Date

13. Approvals in accordance with FAR 6.304


a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


WIDELL LANCE
CONTRACTING OFFICER
NETWORK CONTRACTING OFFICE (NCO)16
VAGCVHCS Biloxi Medical Center, Biloxi, MS

Date

3/15/13

b. **CHIEF P&C:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


ALBERTINE HONORE
CHIEF, PURCHASING AND CONTRACTING
NETWORK CONTRACTING OFFICE (NCO) 16
VAGCVHCS Biloxi Medical Center, Biloxi, MS

DATE

3/15/13