

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 12, Great Lakes Acquisition Center, 115 South 84th Street, Milwaukee, WI 53214

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

This procurement is to establish a new six month distribution fixed-price, requirements contract for Custom Sterile Surgical Packs. This contract will be utilized by VAMC Milwaukee and Lovell FHCC via EDI. This is a short-term contract to allow uninterrupted receipt of surgical packs while a VISN-wide contract is being implemented.

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

VAMC Milwaukee and Lovell FHCC currently procure custom packs via EDI through the Medical Surgical Prime Vendor, Cardinal. Packs are ordered three days a week, with next day delivery, per the terms of the MSPV contract. Custom packs are made up of individually selected components and are specific to each facility where they are used. The packs are assembled by a manufacturer, sterilized, and shipped to the MSPV for storage. The whole process takes 6-8 weeks from pack assembly to VAMC delivery.

The approximate award value for this procurement is \$358,796.90

The approximate award date for this procurement is June 1, 2013 and will last six months after receipt of award.

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;
- () (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):**

A recent notice from the NAC regarding dropping custom surgical packs from FSS, as of June 1, 2013, has created the need for VISN 12 to expeditiously put a contract in place to ensure continuity of sources.

Changing pack manufacturers, components, or distributors takes several months to implement. Cardinal Health is the only vendor which has the ability to distribute any of the several manufacturers

currently in use in VISN 12. The June 1 expiration of the custom pack FSS contracts necessitates the execution of a contract which will continue MSPV distribution of the packs. Cardinal is the only vendor which will ensure uninterrupted delivery of custom packs to VAMC Milwaukee and Lovell FHCC.

Failure to establish a contract will require individual orders for custom packs to be awarded through Contracting activity, which will not allow for just in time delivery. Space concerns and current VA inventory metrics do not allow for overstocking of packs. Packs are generally bulky and Logistics must keep no more than 2-4 weeks of stock on hand to meet performance measures. Failure to procure packs on a timely basis can affect scheduled surgeries, resulting in delayed or cancelled cases and a decrease in the quality of care.

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

An intent to sole source to Cardinal synopsis will be posted on FBO.gov IAW FAR 6.302-1.

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

Contract pricing will be determined fair and reasonable in comparison to the current NAC contract with Cardinal (V797P-4304B) that will be expiring June 1, 2013.

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

Through market research, it is expected that small business will be able to compete for future long-term contract.

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

N/A

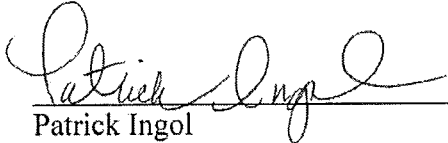
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

An Intent to Sole Source will be posted after approval of J&A.

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:

To remove or overcome any barriers to competition in the future, prior to making subsequent acquisitions for surgical packs, a sources sought notice will be posted.

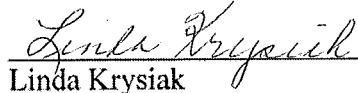
12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Patrick Ingol
Supply Systems Analyst
Milwaukee VA

4/18/13
Date

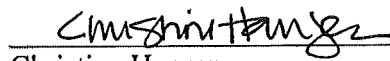
13. Approvals in accordance with FAR 6.304

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


Linda Krysiak
Contracting Officer
Network Contracting Office 12, Great Lakes Acquisition Center

4-18-13
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.


Christine Hansen
Network Contract Manager
Network Contracting Office 12, Great Lakes Acquisition Center

4/18/2013
Date