

**Justification and Approval
For Other than Full and Open Competition**

1. Contracting Activity: This Justification and Approval (J&A) for Other than Full and Open Competition is executed by the Strategic Acquisition Center- Frederick (SAC-F) Frederick, MD, on behalf of the Department of Veterans Affairs (VA), Veterans Affairs Veterans Health Administration (VHA).

2. Description of Action: VHA St Cloud, MN /Surgery proposes to negotiate a noncompetitive award for DePuy Synthes, Inc. Mini and Macro Bone Fragmentation Set

3. Description of Supplies or/Services: The purchase of Qty 3, Ea, LCP Modular Mini and Qty 1 Large, Bone Fragmentation Instrument and Implant Sets which are used to surgically repair fragmented bone. \$ 154,408.00

4. Statutory Authority:

The statutory exception permitting other than full and open competition for this acquisition is: 41USC 253(c)(5), by FAR 6.302-1(c) Only one source and No other Supplies will satisfy Agency Requirements;

5. Demonstration of Contractor's Unique Qualifications: This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. This Synthes micro and macro (mini and large) fragment set provides multiple applications for bone fractures of upper and lower extremities, i.e. hand, arm, foot and leg. They are compatible with other Synthes Systems and parts are interchangeable with other Synthes plates. The Synthes plate and screw system is unique in that these plates are not compatible with any other manufactures system. The requested fragment sets contain individual modules of 1.5mm locking plates and screws. They provide the opportunity for numerous trauma applications, and have proprietary Combi-hole technology which allows for utilization of locking or non-locking screws in the same plate. A feature not available from other manufacturers and the primary reason for their use at this facility. This system contains implants that are also compatible with other Synthes plating systems currently in use. Synthes plates and screws are currently being used at the St Cloud VAMC and these sets will expand medical center capability to treat trauma fractures by virtue of the compatibility with existing Synthes fracture sets. No other manufacture of trauma equipment can provide compatibility with existing equipment.

6. Description of Efforts to Obtain Competition: Market research was conducted via the internet and GSA Advantage to determine availability of other brands of fragmentation kits which could be used interchangeably with the Synthes brand currently in use. Also to determine if there were other contracts or multiple vendors which provided the brand name requested in an effort to maximize competition. No such vendors or brands were located. Examination of the manufacturer's website and telephone conversations with the manufacturer revealed there is no other distribution network for Synthes, Inc. products. There is one sales representative for the state of MN employed by Synthes, Inc..

7. Determination of Fair and Reasonable Prices:

The Contracting Officer will determine prices to be fair and reasonable prior to award.

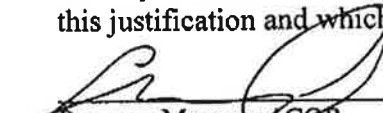
8. Market Research: See Item 6 Above.

9. Other Facts supporting the use of other than full and open competition: This requirement is for the expansion and increase in the current capabilities of the current orthopedic surgery department at VHA St Cloud. Current procedures utilize Synthes, Inc. bone fragmentation kits. Only Synthes brand kits are interchangeable with each other and provide the expanded flexibility to utilize locking or non-locking screws. To utilize another manufacturers product not compatible with the resources in place would incur much larger costs associated with the resupply of the entire orthopedic surgery department, re-familiarization and re-training of technicians and physicians.

Certifications

Acquisition Initiator:

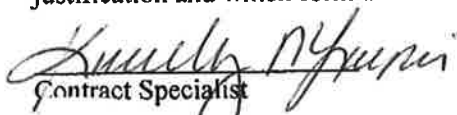
I certify that the facts and representations under my cognizance, which are included in this justification and which form a basis for this justification, are complete and accurate.


Program Manager / COR

21 Apr 2012
Date

Contract Specialist Certification

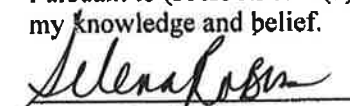
I certify that the facts and representations under my cognizance, which are included in this justification and which form a basis for this justification are complete and accurate.


Contract Specialist

4/26/2013
Date

Contracting Officer Certification:

Pursuant to (FAR 6.303-2(a)(12)), I certify that this justification is accurate and complete to the best of my knowledge and belief.


Contracting Officer

4/26/13
Date