

Attachment B:

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, Wilkes-Barre VA Medical Center.

Transaction Number: 693-13-3-135-0796

Justification for Other Than Full and Open Competition for Arthrex Ankle Arthroscopy Instrument set

2. **Nature and/or Description of the Action Being Processed:** Firm-Fixed Price Open Market procurement for Other Than Full And Open Competition.

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

1 Arthrex Ankle Arthroscopy Instrumentation Set AR-8655S	\$18,680.00
1 GPS Targeting Drill Guide Set AR-8655GS	\$4,200.00
1 Ankle Distractor Set AR-1713S	\$5,500.00
1 Guidewire, ankle arthroscopy, 1.1mm (1 box) AR-8655K-11	\$150.00
1 Guidewire, ankle arthroscopy, 1.6mm (1 box) AR-8655K-16	\$150.00
1 Guidewire w/trocar tip .094 x 8, (1 box) AR-8967K	\$60.00
1 Arthroscope, 30 degree, 2.7 x 72mm AR-3350-27 x 72mm	\$4,500.00
1 Sheath System, 2 stopcock for 2.7mm scope AR-3370-2702	<u>\$800.00</u>

\$34,040.00 + Shipping

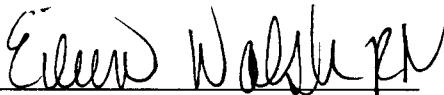
4. **Statutory Authority Permitting Other than Full and Open Competition:**

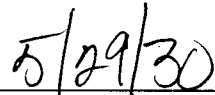
- (x) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
() (2) Unusual and Compelling Urgency per FAR 6.302-2;
() (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
() (4) 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):** Arthrex Ankle Arthroscopy Instrumentation Set is the only instrumentation set of its kind. It comes complete with all the required instruments for this specific ankle surgery and ready to use, no additional parts are necessary. We have other Arthrex sets and they hold up well through our reprocessing and sterilization. By ordering this set, we know that it will be interchangeable with other Arthrex parts of our other sets, allowing for standardization of instrumentation.

Each Arthrex Set is unique but works well with other complimentary Arthrex Sets. This new set has a surgical scope that needs to connect to an Arthrex Pump that is in our current Equipment Inventory. Maintaining standardization of instrument sets is essential to maximizing Patient Safety. Standardization allows for singular training/competency, peak proficiency, and a significant reduction for the opportunity of errors being committed by the surgical staff.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Research was completed and the Ankle Arthroscopy set with its corresponding instruments appears to be the only instrument set of its kind on the market that comes complete. The Arthrex Company only accepts orders from its' authorized dealers which is their sales team. Orders can only be made out to Arthrex, Inc. The order request will also be listed in accordance with FAR 5.203, a notice that the Government intends to solicit with only one source under authority for FAR 6.302 and published with the solicitation.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** In accordance with FAR 15.404-1(b)(2), price analysis will be accomplished by comparing prior proposed prices and contract prices with current proposed prices for the same or similar end items. Price negotiations will then be used to determine a fair and reasonable price.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** This item is not available on FSS, so market research in accordance with FAR part 10.002 was conducted by querying the Government wide database of contracts and other procurement instruments available at the FPDS-NG. Market research was done and it was determined that this set and its instruments were the only ones offering everything needed to provide the best care to our patients and provide continuity of use and care for surgeons and patients.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
Arthrex- Corey Kuzmak 570-650-9308
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:** : At this time, no other company offers this amount of instrument choices in their set. Should others do so in the future, we would be open to looking at other companies.
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.


Name Eileen Walsh
Title Acting Nurse Manager
Facility WB VAMC


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.



Name Mark Knorr
Title Contracting Officer
Facility



Date

- b. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.

Name Benjamin Grogg
Deputy Network Contract Manager
VISN 4

Date