

## DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval  
Under  
Simplified Acquisition Procedures (SAP)  
Simplified Acquisition Threshold (\$3K to \$150K)  
For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

**1. Contracting Activity:**

Department of Veterans Affairs, Network Contracting Office (NCO) 20, for the Puget Sound Health Care System Seattle VA Medical Center (PSHCS), Surgery Service Line – Cardio Thoracic

**2. Nature of the Action Being Processed:**

The Department of Veterans Affairs proposes to enter into a contract on a basis of other than full and open competition for a Bio-Console system to match with the existing Bio-Console 560 BCS1, the Pump Speed Controller, the 150 Emergency Hand crank, the 540T External Drive Unit with Pole Mount, TX50 Adult Flow Transducer, the Bubble Detector Cable – Adult, HMS Plus Instrument, 212 the Sechrist Air/Oxygen Mixer, and the BioTrend Oxygen Saturation/Hematocrit System and equipment. The contract contemplated will be firm fixed price to Medtronic. This agreement is for the Puget Sound Health Care System Seattle VA Medical Center (PSHCS).

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

This procurement under PR # 663-13-2-9961-0057 is for \$69,000 for the purchase of the Bio-Console, 560 BCS1, the Pump Speed Controller, the 150 Emergency Hand crank, the 540T External Drive Unit with Pole Mount, TX50 Adult Flow Transducer, the Bubble Detector Cable – Adult, HMS Plus Instrument, 212 the Sechrist Air/Oxygen Mixer, and the BioTrend Oxygen Saturation/Hematocrit System. This equipment is a backup system that will be used as a redundant system to match what we have now. It is imperative that we order the exact same equipment because the VA Puget Sound is currently using a bio-console pump for CT surgery. This equipment uses heparin covalent bonded disposables. Only Medtronic has patent for this type of equipment. Both equipment needs to be interchangeable in case one of them breaks down. There are no other make or model that can be used as a replacement. The contractor is the only one which makes these items and is the only vendor which supplies them, being that they are the manufacturer.

**4. Statutory Authority Permitting Restriction in Competition:**

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is **41 U.S.C. 253(c), as implemented by FAR 13.106-1(b)(1)**. The specific reason for restricting competition is only one source can provide. This justification is where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2, IAW the VHA SOP for Other Than Full And Open Competition dated 3-22-2011.

**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 contractor, Medtronic, is the manufacturer of the Bio-Console perfusionist console system, and the systems are only sold by the manufacturer. There are no other vendors authorized to sell this equipment.

**6. Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:**

Only One Responsible Source (FAR 6.302-1) has been found that can manufacture. Medtronic is the only one at this time that can provide this equipment. The Contracting Specialist has researched on all required sources for other vendors who may provide this type of equipment however found there was no other vendor at this time that can provide what the Seattle VA hospital needs.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3 (2)(ii):**

The Contracting Officer has determined that the anticipated cost to the government will be determined fair and reasonable IAW FAR 13.106-3 (2) (ii) comparison with previous purchased items that have already be determined fair and reasonable. When researching past procurements; in 2003 the government purchased a single part of this item for \$20,310.00, and in 2006 the government purchased the second part of this item for \$24,850.00. The prices for these items were determined fair and reasonable at the time of award.

Market research indicates standard medical commodity increases average 8% per year. Today's projected costs for these items would be \$86,436.30. The current proposed price is \$69,100.00, which is reflects an annual inflation rate of approximately 5%, well below the industry standard of 8%. Based on this comparison, the proposed price is fair and reasonable.

**8. Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):**

Market research was conducted on the VetBiz Registry, GSA Advantage and Search.USA.gov. None of the sites revealed any service disabled veteran owned companies or small veteran owned business.

**9. Any Other Facts Supporting the Restriction of Competition:**

None

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

None


**11. Statement of 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:**

None

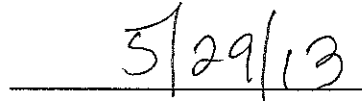
**12. Requirements Certification - IAW FAR 6.303-2(c):**

*(This signature is the requestor's supervisor, fund control point official, chief of service, someone with responsibility and accountability)*

I certify that the requirement outlined in this justification is a bonafide 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: Susan Lentz

Position: Administrative Services Manager

  
Date

**13. Approvals IAW VHA SOP 3.22.11:**

- 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: Bethany Ireton  
Contracting Officer  
NCO 20 (Supply Team B)

\_\_\_\_\_  
Date

- b. **NCM/PCM/DESIGNEE:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.

\_\_\_\_\_  
NCO 20 (Supply Team B)  
Name: Andres Arredondo  
Acting Team Manager

\_\_\_\_\_  
Date