

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION  
Department of Veterans Affairs  
Strategic Acquisition Center – Frederick (SAC-F)

**1. IDENTIFICATION OF AGENCY AND CONTRACTING ACTIVITY:**

Department of Veterans Affairs  
Office of Acquisition Operations  
Strategic Acquisition Center – Frederick  
8490 Progress Drive  
Frederick, MD 21701

**2. NATURE/DESCRIPTION OF ACTION BEING APPROVED:**

VA Medical Center- Boston has a requirement for the sole source procurement of Maxventuri Air/O2 Entrainment System and peripheral equipment.

**3. DESCRIPTION OF SUPPLIES/SERVICES:**

*The following line items are required for this procurement:*

Product No.	Description	Quantity	
# R211P24	Maxventuri Air/O2 Entrainment System	10	EA
# R211P24200	Maxventuri Oxygen Analyzer	10	EA
# R211P24300	Maxventuri Fast Response O2 Sensor	10	EA
# R127P35	Coiled Oxygen High Pressure Hose	10	EA
# MR850	Automatic Humidification Heater	10	EA
# 900MR806	Pigtail Heated Wire Adapter	10	EA
# 900MR869	Temperature/Flow Sensor Probe	10	EA
# 900MR292	Humidification Heater Telescopic Pole Stand	10	EA
# 900MR030	Pole Bracket for F&P MR850 Heater	10	EA
# 900MR306	Basket	10	EA

The total estimated value of the proposed action is [REDACTED] with no option periods.

**4. IDENTIFICATION OF STATUORY AUTHORITY:**

FAR 6.302-1, 41 U.S.C. 253(c) (1), Only one responsible source and no other supplies or services will satisfy agency requirements.

**5. DEMONSTRATION CONTRACTOR'S UNIQUE QUALIFICATIONS:**

Maxventuri Air/O2 Entrainment System and peripheral equipment is currently being used in the Boston VAMC. For that reason, there is a direct requirement for system compatibility and continuity. The equipment will expand the ability to support an increase in the number of respiratory services provided to the Boston Veteran population. Maxventuri Air/O2 Entrainment System delivers O2 therapy in a unique manner to facilitate decreasing the number of days a patient spends on the ventilator while in the Intensive Care Unit. The continued use of the Maxventuri Air/O2 Entrainment System will be provided for standardized training of all clinical staff. There would be no cost benefit to deviating from the current system being used. The vendor must be capable of providing all specific components of the Maxventuri Air/O2 Entrainment System. CareFusion is the only distributor of these products (see Market Research, below).

**6. EFFORTS MADE FOR SOLICITING FROM OTHER SOURCES:**

Notification of the proposed procurement will be placed on Federal Business Opportunities (FBO) in accordance with FAR 6.505.

- 7. FAIR AND REASONABLE DETERMINATION:** A Price Negotiation Memorandum (PNM) will detail how the government has determined that the anticipated costs will be fair and reasonable in accordance with FAR 13.106-3 prior to award. No award will be made without this determination.

- 8. MARKET RESEARCH:** In accordance with Federal Acquisition Regulation (FAR) Part 10, market research was conducted to arrive at the most suitable approach to acquiring Maxventuri Air/O2 Entrainment System and peripheral equipment for VA Medical Center Boston. Market research indicates the requirement is a commercial item as defined in FAR part 2.1. After searching General Service Administration (GSA)/Veterans Affairs (VA) Federal Supply Schedule (FSS) e-library, in guidance with priorities for use of Government supply sources (FAR part 8), the equipment is not available on the schedule. This item is available in the commercial marketplace from CareFusion. CareFusion is the only distributor of the Maxventuri Air/O2 entrainment system and peripheral equipment. The government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions in support of similar requirement.

**9. SUPPORTING FACTS:**

There are no additional supporting facts regarding the use of other than full and open competition.

**10. LISTING OF SOURCES:**

CareFusion has expressed written interest in this acquisition.

**11. STATEMENT OF ACTION TO REMOVE BARRIERS TO COMPETITION:**

Market research will be conducted for subsequent acquisitions to ascertain if there are changes in the market place that would enable future actions to be competed.

### CERTIFICATIONS

**TECHNICAL REPRESENTATIVE:** I certify that the foregoing justification is complete and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
Name Title \_\_\_\_\_ Date \_\_\_\_\_

**CONTRACTING OFFICER:** I certify the supporting data under my cognizance which are included in the justification and approval are accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_

