

Department of Veterans Affairs Office of Acquisitions and Logistics
National Acquisition Center
National Contract Service
CMOP Division Murfreesboro, TN 37127
Justification for other than full and open Competition
Brand Specific Medtronic MINIMED Products

The following is formatted as prescribed at FAR 6.302-1

1. Nature and or description of the action being processed:

The National Contracting service, National Acquisition Center, CMOP Division of VA Office of Acquisition and Logistics plans to solicit via open market on the Government-wide point of entry at www.FBO.gov for Brand Specific Medtronic products that are not found on contract.

2. Description of the supplies/services required to meet agency's needs:

These Medtronic products are used for insulin dependent diabetic patients. The products are pump specific and not interchangeable. If the CMOP National File entry has a specific brand or item number in the prescription description, the CMOP is only allowed to dispense that exact item match. VA doctors writing a prescription do so based on clinical need and write the prescription accordingly to provide critical patient care.

MMT-7002C – GLUCOSE SENSOR (MINIMED SOFSENSOR)
MMT-326A – RESERVOIR (MINIMED PARADIGM RESERVOIR)
MMT-397- SET INFUSION (MINIMED PARADIGM QUICK-SET)

The estimated annual dollar value is \$213,174.40

3. Identification of the statutory authority permitting other than full and open competition:

41 U.S.C.253(c)(1) and FAR 6.302-1(c)

4. Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

This is a brand name only requirement based on clinical need in accordance with written prescriptions in order to provide critical patient care.

5. Description of the efforts made to ensure that offers are solicited from as many potential sources as is practicable, include whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies.

A pre-solicitation notice was publicized on the Federal Business Opportunities website at www.fbo.gov. The RFP was posted on 8/27/2013 and because of the urgent nature will close on 9/5/2013. Typically we will award to a small business concern and not the manufacturer.

6. A determination by the contracting officer that the anticipated cost to the government will be fair and reasonable.

The CMOP submitted a funded purchase request (2237) 764-13-4-077-1071 in which pricing was estimated based on previous use and purchase history.

7. A description of the market research conducted, the results or a statement of the reason market research was not conducted.

There are no newly developed, clinically acceptable substitutions for Medtronic MINIMED products. The medical/surgical catalog search tool was utilized to see if these items are on contract. The NAC Contract Management tool was searched to see if any of the items were available on any other existing contract. All queries returned negative responses; the responses have been compiled into a PDF file and uploaded to the eCMS action Briefcase under P02.

8. List of sources, if any that expressed interest in the acquisition.

Not applicable, as this will be procured by way of an open market solicitation and every effort will be made to award all line items to small business concerns.

9. Statement of actions agency may take to remove or overcome any barriers to competition before any subsequent for the supplies or services required.

The products being procured are brand-specific, but competition will be achieved through full and open solicitation. There is no opportunity to overcome the barrier that the brand specificity represents because the products are prescribed by VA doctors and are critical to patient care.

TECHNICAL AND REQUIREMENTS CERTIFICATION

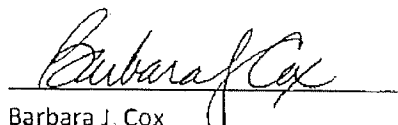
I certify that the facts and representations under my cognizance which are included in this justification and which form a basis for this justification are complete and accurate.


Stacey Blades
Inventory Management Specialist

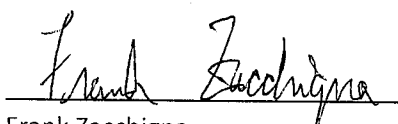
8/21/2013
Date

CONTRACTING OFFICER CERTIFICATION

I certify that this justification is accurate and complete to the best of my knowledge and belief


Barbara J. Cox
Contracting Officer

8/21/2013
Date


Frank Zacchigna
Supervisory Contract Specialist

8/26/13
Date