

LIMITED SOURCES JUSTIFICATION

ORDER >\$3,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 607-13-3-738-0033

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source: Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Siemens Medical Solutions U.S.A., Inc.

Manufacturer/Contractor POC & phone number: Julien Verboom (630) 210-2856

Mfgr/Contractor Address: 51 Valley Stream Parkway, Malvern, PA 19355

Dealer/Rep address/phone number: Terry Dover (919) 439-0018

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

Great Lakes Acquisition Center

115 South 84th Street, Milwaukee, WI 53214

NCO: 12

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

The Radiology Department at the Madison VA Medical Center is requesting the one-time upgrade of existing proprietary software. The software upgrade is available through a VA NAC contract Federal Supply Schedule.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

The one-time software upgrade will provide enhanced imaging for Medical Personnel at the Madison VA Medical Center. This will allow Medical Personnel to perform more accurate medical procedures and decisions.

(b) ESTIMATED DOLLAR VALUE: \$37,259.00

(c) REQUIRED DELIVERY DATE: 30 days after receipt of order.

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

☐ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is:
(If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

The Madison VA Medical Center, Radiology Department will be upgrading the syngo iGuide and iFlow software which is proprietary to Siemens Medical Solutions U.S.A., Inc. and it is available through their VA NAC Contract V797P-6029B.

☐ These are "direct replacements" parts/components for existing equipment.

☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

☐ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

Per FAR 8.404(d) Pricing – Use of Federal Supply Schedules, the VA NAC has already determined the pricing to be fair and reasonable. Past purchases for similar types of support for software systems is comparable, 695-C20719 with GE Healthcare Muse upgrade of software from v7.1 to v8.0 was \$31,951.84 and the entire purchase to include training was \$74,471.24. 537-C90370 with AudioCare Systems upgrade of the AudioCare reminder software for a total of \$59,190.00.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

Market Research was conducted on GSA, VA NAC, NASA SEWP, FBO, and Google. No other vendors on schedule were found to be able to provide the software upgrade required by the Medical Center.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

None.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

No actions to overcome barriers may be taken at this time since the software and equipment is proprietary to Siemens Medical Solutions U.S.A., Inc. and the VA NAC has delegation authority over the contract.

(9) 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. I understand that processing of this limited sources justification

restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. (This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)

Andrew Heitman 7/11/13
SIGNATURE DATE
ANDREW HEITMAN AO, RADIOLOGY RADIOLOGY
NAME TITLE SERVICE LINE/SECTION
WATKINSON VA
FACILITY

(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Ashlee Johnson 7-10-13
CONTRACTING OFFICER'S SIGNATURE DATE
Ashlee Johnson
NAME AND TITLE NCO 12

c. NCM/PCM/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Bryan Boland 7-10-13
SIGNATURE DATE

BRYAN BOLAND
SERVICES TEAM MANAGER
NETWORK CONTRACTING OFFICE 12, GREAT LAKES ACQUISITION