

## **DETERMINATION OF LIMITATION OF SOURCES**

1. CONTRACTING ACTIVITY:

Department of Veterans Affairs, Consolidated Contracting Activity-VISN 21.

2. DESCRIPTION OF ACTION:

This action limits competition for the acquisition of the ES Gold Software Program for the VA Palo Alto Health Care System (VAPAHCS). The Department of Veteran Affairs already purchased Eyesi Surgical System and surgical simulator platform on 9/28/2012. The ES Gold software is absolutely required for continued surgery training for all Stanford Ophthalmology Residents. The software needs to be upgraded and the only source is the company who produced the simulator, VR Magic Inc.

3. DESCRIPTION OF SUPPLIES/SERVICES:

The ES Gold software is absolutely required for continued surgery training for all Stanford Ophthalmology Residents. The software needs to be upgraded and the only source is the company who produced the simulator, VR Magic Inc.

4. AUTHORITY CITED:

FAR 13.106(b)(1), only one source is reasonably available because only one manufacturer's item will meet the Government's needs.

5. REASON FOR AUTHORITY CITED:

The authority cited in paragraph 4 must be used because only one manufacturer's item will meet the Government's needs.

The ES Gold software is required to use the Eyesi Surgical System for training. The Eyesi Surgical System was purchased by the VA in 9/28/2012 as a sole sourced purchase. The software needs to be upgraded for continued surgery training for all Stanford Ophthalmology Residents.

6. EFFORTS MADE FOR SOLICITING FROM OTHER VENDORS:

Synopsis is required in accordance with FAR 5.101(a)(1) in that the proposed contract action is above the \$25,000 threshold.

FAR 6.305 (d) (1) The justifications shall be made publically available at the Government Point of Entry (GPE) [www.fedbizopps.gov](http://www.fedbizopps.gov); must remain for a minimum of 30 days.

7. FAIR AND REASONABLE COST DETERMINATION:

The Contracting Officer has determined that the anticipated price will be determined to be fair and reasonable. A Price Negotiation Memorandum (PNM) will detail how the Government has determined that the anticipated costs will be fair and reasonable.

As this item has been determined to be commercial, cost or pricing data will not be required. Pricing techniques such as are described in FAR 15.404-1(b)(2), will be used to establish price fairness and reasonableness.

8. MARKET RESEARCH:

Market research was conducted by searching and reviewing the GSA website, FPDS, and eCMS. It was determined that this product is only available from VR Magic Inc. and no other suppliers will satisfy agency requirements.

9. SUPPORTING FACTS:

Any supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government's minimum needs or requirements or other rationale for limited sources) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel. The evidence for this is the "Technical Data to Support a Restricted Competition" in the contract file.

The ES Gold software is required to use the Eyesi Surgical System for training. The Eyesi Surgical System was purchased by the VA in 9/28/2012 as a sole sourced purchase. The software needs to be upgraded for continued surgery training for all Stanford Ophthalmology Residents.

10. LISTING OF SOURCES:

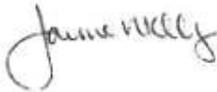
VR Magic, Inc.  
245 First Street  
Cambridge, MA 02142  
[dial@vrmagin.com](mailto:dial@vrmagin.com)  
617-444-8761  
Small Business

11. STATEMENT OF ACTIONS:

There are not any other manufactures that can provide the ES Gold Software since it is proprietary to the Eyesi Surgical System.

12. CONTRACTING OFFICER CERTIFICATION:

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



09/12/2013

Jaime N. Kelley  
Contract Specialist

Date



Paul Griffin  
Contracting Officer

09.12.2013

Date

Approval / Disapproval

