

Attachment 1: Request for Limited Sources Memo Format

LIMITED SOURCES JUSTIFICATION

ORDER >\$3,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 630-13-4-156-0205

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is limited 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: Pentax Medical

Manufacturer/Contractor POC & phone number: Greg Stolhand 800 431-5880

Mfr/Contractor Address: 3 Paragon Drive, Montvale, New Jersey 07645-1725

Dealer/Rep address/phone number: As above

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

NYHHS – Brooklyn Campus

Medical Service/Gastroenterology

800 Poly Place, Brooklyn, NY 11209

VISN:

3

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

The request is for the purchase, via GSA schedule, of upgraded EndoPro software in order to continue to use EndoPro compatible equipment already owned and to provide a seamless transition of information already in the database. New versions of EndoPro software are developed to respond to changing needs of customers and improvements in technology. Older versions are retired and can no longer be supported. The EndoPro line released in 1998 will no longer be supported as of March 31, 2014.

An upgrade to the latest platform will be needed to remain on a version the Pentax Medical and hardware can support. In order to continue to use our current EndoPro equipment our software must be upgraded.

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

This medical procedure documentation and image management software is used by Gastroenterology departments to capture still images and videos from multiple light sources including endoscopes, bronchoscopes, and fluoroscopes. Several enhancements have been made: Coding support, ability to submit quality data to national registries, and free-text ability to name a few. Data collection and submission to national registries contributes to such areas such as research, statistical analysis and physician productivity models.

SOP Other Than Full and Open Competition

Original Date (3/22/2011)

(b) ESTIMATED DOLLAR VALUE: \$224,000

(c) REQUIRED DELIVERY DATE: October 2013

(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.

x 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.

This is proprietary software developed by Pentax in order to upgrade software already in use with EndoPro compatible equipment already owned by Gastroenterology.

x 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.)

Pentax is the only medical imaging software able to capture true HD images and video. In the quest for optimal patient care, the PENTAX endoPRO platform is an extremely comprehensive and valuable tool. It is an upgrade for a system already operational and compatible with our equipment.

X These are "direct replacements" parts/components for existing equipment.
Replacing software installed in 1998.

X 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 version of EndoPro software was created to provide a seamless migration of database information and provided enhanced features. No other brand name or other type of software system can provide integration with the incumbent endoscope system without the need to replace a large portion of the physical system of endoscopes at a high cost.

☐ 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.

NA

SOP Other Than Full and Open Competition
Original Date (3/22/2011)

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

NA

(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:

Using incompatible software will present the need to replace very expensive equipment. The software purchase being requested is an upgrade and coordinates with equipment already owned and in use.

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

Again, this is a software upgrade and coordinates with equipment already owned and in use.
Use of any other system would result in the need to purchase all new equipment.

A sources sought notice, RFQ810211, was posted on GSA eBuy searching for other capable vendors to provide the Endopro software for the endoscope system. The notice closed on 8/19/2013 with Pentax as the only responder with the ability to perform.

Pentax confirmed their ability to perform via their GSA schedule with a copy of the contract.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

The Pentax EndoPro iQ endoscopy system is the latest software in endoscopy visualization products and allows real time image analysis and storage. It has an HD Motion Picture Studio that allows image-inset in electronic reports. It can also store and catalog video segments for rapid keyword searches. Endopro iQ is the endoscopy documentation software that is connected to all the light sources/ processors that we have in the endo unit for GI and Pulmonary endoscopy procedures. This software is developed for SOP Other Than Full and Open Competition
Original Date (3/22/2011)

the Pentax endoscopy systems initially but is also compatible with other scopes we have in the unit (Olympus Pulmonary scopes, Fujinon double balloon enteroscopy, manometry, capsule endoscopy).

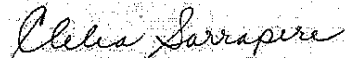
This system allows us:

- 1) To prepare our reports, that interface with CPRS directly over an HL7 interface.
- 2) It allows us to do all our scheduling for GI endoscopy and pulmonary
- 3) It will allow us to collect data on endoscopy performance measures directly from the software. It also prepares it for GI Quick which is the nationally utilized performance data collection tool.
- 4) It will allow us to coordinate scope utilization data directly from the software.
- 5) It will allow us detailed workload statistics.
- 6) This software is specifically designed for Pentax, which is our scope system and will allow us not to lose our old patient data dating back to 1999.
- 7) As we also have a lease agreement with Pentax, they are willing to support as many workstations as we need without extra charge. Other companies limit the workstations with this and charge extra for every added workstation. We will have this in Pulmonary office, GI and pulmonary clinics, as well as in endoscopy unit.
- 8) Of course as above, this system will work with all our processors/light sources/scopes (GI and Pulmonary) in the endoscopy unit and travel cart, that we use for procedures in OR and ICU.

(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:

The purchase of this software is beneficial to patient medical history and implications for future health prognoses, as well as cost effective as it will allow seamless transfer of patient data from the old system to the new.

(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.)*



7/29/13

SIGNATURE

DATE

Clelia Sarrapere

Administrative Officer

Medical Service

NAME

TITLE

SERVICE LINE/SECTION

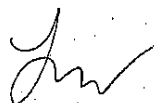
NYHHS – Brooklyn Campus

FACILITY

SOP Other Than Full and Open Competition
Original Date (3/22/2011)

(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.



CONTRACTING OFFICER'S SIGNATURE

08/19/2013

DATE

Lawrence Unger – Contract Specialist


NAME AND TITLE

NCO 3

FACILITY

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

SIGNATURE


MS. Janwiga Kusk
Deputy NCM
Network Contract Office

DATE

AUG 26 2013

NAME

for Voland Burgess
VISN X-NCM/PCM - VISN 3/NCM

HIGHER LEVEL APPROVAL (Required For orders over \$500,000):

e. **SAO:** I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

SIGNATURE

DATE

NAME

DIRECTOR, SAO X

f. **VHA HCA REVIEW AND APPROVAL (over \$500,000 to \$10 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

NAME

SOP Other Than Full and Open Competition
Original Date (3/22/2011)

DATE

Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

g. VA Deputy Senior Procurement Executive Approval (\$10 million not to exceed \$50 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

IRIS B. COOPER
Deputy Senior Procurement Executive (DSPE)

DATE

h. VHA Senior Procurement Executive Approval (over \$50 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

JAN R. FRYE
Deputy Assistant Secretary
Office of Acquisition and Logistics
Senior Procurement Executive (SPE)

DATE

SOP Other Than Full and Open Competition
Original Date (3/22/2011)