

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 #: 640-14-1-221-0005

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: Joerns LLC (Contract No. V797P-42858)

Manufacturer/Contractor POC & phone number: [REDACTED]

Mfr/Contractor Address: 19748 DEARBORN STREET - CHATSWORTH, CA 91311-6509

Dealer/Rep address/phone number: (800) 966-6662

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

VAPAHCS

Logistics Management Service (90)

3801 Miranda Ave

Palo Alto, CA 94304

VISN:

21

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

Specialty Bed Rentals and Accessories for the VA Palo Alto Health Care System (VAPAHCS).

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

Vendor shall provide specialty beds and accessories throughout the VAPAHCS. This service shall include delivery, installation, set-up, removal, pick-up, cleaning, training, maintenance, emergency service and repair of all products requested by the VAPAHCS.

(b) ESTIMATED DOLLAR VALUE: \$485,000

(c) REQUIRED DELIVERY DATE: 24 hours ARO

(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.)

☒ These are "direct replacements" parts/components for existing equipment.
The VAPAHCS currently has Joerns LLC specialty beds and accessories rented throughout the facilities.

☐ 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.


The existing BPA (V261-BP-1236) with Joerns LLC, Inc. has expired. The Western States Network Consortium (WSNC) is currently negotiating a new BPA with Joerns LLC. This BPA was supposed to be renewed before the beginning of FY 2014. Since the BPA has not been renewed, a purchase order will be issued under FSS Contract V797P-4285B to prevent interruption to patient care. The contract for FY 2013 expired on 09/30/2013. A purchase order needs to be issued ASAP so the VAPAHCS can continue renting the Joerns LLC specialty beds and accessories for the patients that are currently using them.

(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:

The fixed prices for supplies and services listed under FSS Contract V797P-4285B have been determined to be fair and reasonable by GSA. Therefore, ordering activities are not required to make a separate determination of fair and reasonable pricing. The prices listed under FSS Contract V797P-4285B represent the best value (as defined in FAR 2.101) and results in the lowest overall cost alternative (considering pricing, special features, administrative costs, etc.) to meet the Government's needs.

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

Due to the urgency to have a rental contract in place and to prevent interruption of rental services, market research was ~~not~~ conducted.

See Attached Market Research Report. 

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

(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:

☐ 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.)

☒ These are **"direct replacements" parts/components for existing equipment.**
The VAPAHCS currently has Joerns LLC specialty beds and accessories rented throughout the facilities.

☐ 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.**

The existing BPA (V261-BP-1236) with Joerns LLC, Inc. has expired. The Western States Network Consortium (WSNC) is currently negotiating a new BPA with Joerns LLC. This BPA was supposed to be renewed before the beginning of FY 2014. Since the BPA has not been renewed, a purchase order will be issued under FSS Contract V797P-4285B to prevent interruption to patient care. The contract for FY 2013 expired on 09/30/2013. A purchase order needs to be issued ASAP so the VAPAHCS can continue renting the Joerns LLC specialty beds and accessories for the patients that are currently using them.

(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:

The fixed prices for supplies and services listed under FSS Contract V797P-4285B have been determined to be fair and reasonable by GSA. Therefore, ordering activities are not required to make a separate determination of fair and reasonable pricing. The prices listed under FSS Contract V797P-4285B represent the best value (as defined in FAR 2.101) and results in the lowest overall cost alternative (considering pricing, special features, administrative costs, etc.) to meet the Government's needs.

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

Due to the urgency to have a rental contract in place and to prevent interruption of rental services, market research was not conducted.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

(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:

Currently, patients are using Joerns LLC specialty beds and accessories. This limits the ability to remove and replace the specialty beds and accessories with other manufacturer's products during the fiscal year end/beginning. In the future, a request for the desired specialty bed rentals and accessories from the program office earlier in the FY would allow more time for NCO 21 to prepare the appropriate contract mechanism. Also, the renewal of established BPA's would assist the program office in meeting the needs of their facilities and patients.

(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 requester's supervisor, fund control point official, chief of service or someone with*

SIGNATURE

DATE

NAME

TITLE

SERVICE LINE/SECTION

VAPAHCS

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.

CONTRACTING OFFICER'S SIGNATURE

DATE

NAME AND TITLE

FACILITY

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

SIGNATURE

DATE

NAME

VISN 21 NCM/PCM