

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$3,000  
FAR PART 8.405-6**

**2237 Transaction # or Vista Equipment Transaction #:** \_\_\_\_\_

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: Aethon\_\_\_\_\_

Manufacturer/Contractor POC & phone number: \_\_\_\_\_

Mfgr/Contractor Address: Aethon, 100 Business Center drive, Pittsburgh, PA 15205

Dealer/Rep address/phone number: \_\_\_\_\_

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

**(1) AGENCY AND CONTRACTING ACTIVITY:** Department of Veterans Affairs  
VISN 12  
Great Lakes Acquisition Center  
115 S. 84<sup>th</sup> St., Ste 100  
Milwaukee, WI 53214-1476

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

Maintenance and service on 22 Aethon TUG robots located at the NCO 12: VA Milwaukee. VA Hines, VA Madison, and VA Jesse Brown.

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

Maintenance and service on 22 Aethon TUG robots located at the NCO 12. This includes service during normal working hours and all parts necessary to make repairs to ensure machines are working to original manufacturer specifications. This includes all software updates and licensing for the operation of the Aethon TUG robots.

(b) ESTIMATED DOLLAR VALUE: [REDACTED] \_\_\_\_\_

(c) REQUIRED DELIVERY DATE: 07/01/2014 \_\_\_\_\_

**(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.

Aethon is the manufacturer of the equipment and is the only vendor that has access to provide software updates for the TUG robots. No other service provider has rights to provide VA with required software updates. The maintenance contract is necessary for proper functionality of equipment. The company does not allow third party vendors to service. In addition to having upgrades for software and hardware etc. Aethon Inc. (GSA Contract [REDACTED] is the original manufacturer (OEM) of the units. They are the only vendor with exclusive rights and capabilities to provide all software and hardware upgrade. The maintenance is necessary to keep the equipment running as efficiently as possible and to ensure appropriate, timely and secure deliveries to and from wards, pharmacies, and laboratories.

**(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:**

According the FAR 8.404 – Use of Federal Supply Schedules, section (d) Pricing. Supplies offered on the schedule are listed at fixed prices. Services offered on the schedule are priced either at hourly rates, or at a fixed price for performance of a specific task (e.g., installation, maintenance, and repair). GSA has already determined the prices of supplies and fixed-price services, and rates for services offered at hourly rates, under schedule contracts to be fair and reasonable. Therefore, ordering activities are not required to make a separate determination of fair and reasonable pricing, except for a price evaluation as required by 8.405-2(d). By placing an order against a schedule contract using the procedures in 8.405, the ordering activity has concluded that the order represents the best value (as defined in FAR 2.101) and results in the lowest overall cost alternative (considering price, special features, administrative costs, etc.) to meet the Government's needs.

[REDACTED]

[REDACTED]

[REDACTED]

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

No other companies have the OEM trained and certified technicians and can also provide timely and appropriate software and hardware upgrades as needed per the OEM.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

Intent to sole source notice was posted to [www.fbo.gov](http://www.fbo.gov) on June 10, 2014 and closed on June 16, 2014 with no one responding back.

<https://www.fbo.gov/?s=opportunity&mode=form&id=425582b23f0cd79c6506d0e371aa8ba9&tab=core&cvview=0>

This market research did not yielded additional sources capable of meeting all of the Government's requirements.

**(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:**

In the future, the agency will continue to review the market to evaluate if more than one responsible vendor exists that could provide this service 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.)*

[REDACTED]

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6/17/2014

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
Robert Steldt \_\_\_\_\_ Biomedical Engineer \_\_\_\_\_ Biomedical Engineering \_\_\_\_\_  
NAME TITLE SERVICE LINE/SECTION  
VA Milwaukee \_\_\_\_\_  
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.

\_\_\_\_\_ 06/18/2014 \_\_\_\_\_  
CONTRACTING OFFICER'S SIGNATURE DATE  
Trong Nguyen, Contracting Officer \_\_\_\_\_ NCO 12 \_\_\_\_\_  
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  
\_\_\_\_\_  
Christine Hansen  
Director of Contracting, Network Contracting Office 12