

**JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW FAR 13.106-1**  
**(OVER MICRO-PURCHASE THRESHOLD(\$3K) BUT NOT EXCEEDING THE SAT (\$150K))**

IAW FAR 13.104, COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW FAR 13.106-1(b), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW FAR 13.106-3(b)(3), COs are required to include additional statements ***explaining the absence of competition*** (see 13.106-1 for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW FAR 13.106-3(b)(3). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

**1. PURCHASE REQUEST OR REQUISITION NUMBER:**

595-15-2-480-0044

**1A. PROJECT/TASK  
NUMBER**

NA

**1B. ESTIMATED AMOUNT:**

\$149,890

**2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:**

The Lebanon VA Medical Center (LVAMC) has a requirement to purchase Five (5) Maquet, Inc. Servo I Ventilators and Components, along with having Maquet train and certify VA Bio-Med Employees in how to maintenance and repair these items.

**3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:**

The Lebanon VA Medical Center (LVAMC) has a requirement to purchase Maquet, Inc. Servo I Ventilators and Components, along with having Maquet train and certify VA Bio-Med Employees in how to maintenance and repair these items. LVAMC must purchase the Maquet band Servo I Ventilator and Components, since it is essential that LVAMC has a Ventilator with the following features, which are unique to the Maquet Servo I, and not all available, in another company's similar Ventilator product:

- a. The Servo I Ventilator has aerogen nebulizer's that are integrated with the Continuous Flow.
- b. ETCO2 and Volumetric CO2 Readings
- c. Proprietary O2 Sensor with a life-time guarantee
- d. Bi-Vent

The Maquet Servo I Ventilators provide ETCO2 and Volumetric CO2 readings, as well as an indwelling aerogen nebulizer. As mentioned above, LVAMC, requires both items indwelling, and not as separate units, so all ventilator parameters are transmitted to the Government's computer system via the PICIS. The requesting area also could not find these items, indwelling, within any similar ventilators when conducting market research, and therefore they do not believe that any other similar ventilator provides these items internally.

It is also essential that the Government purchase the above items from PROAIM Medical, since they are Maquet's sole exclusive seller to the Federal Government.

It is also essential the LVAMC have the Contractor, have Maquet, Inc. perform all training and certifications of BioMed Staff,

since, only Maquet, Inc. has the ability and knowledge to train and certify people to maintenance and repair their Ventilators.

The above basis and reasons to purchase the Maquet, Inc. Servi I brand Ventilator and have Maquet, Inc. perform the Training, are supported by written statements made by LVAMC's Technical Point of Contact (Jodie Yoder), and the COR (Christopher Small), as well as, from written statements obtained from Maquet. (See emails from Jodie Yoder, and Karen O'Donnell of Maquet, under P01, in the Procurement Action Briefcase of the eCMS Contract File)

#### **4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:**

It is also essential that the Government purchase the above items from PROAIM Medical, since they are Maquet's sole exclusive seller to the Federal Government.

It is also essential the LVAMC have the Contractor, have Maquet, Inc. perform all training and certifications of BioMed Staff, since, only Maquet, Inc. has the ability and knowledge to train and certify people to maintenance and repair their Ventilators. .

#### **5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:**

The Contracting Officer (CO) performed Market Research and confirmed the following:

The needed items and ancillary services are sold in the Commercial Market Place, thus categorizing them as Commercial Items.

The primary purpose of the Contract is to purchase Ventilators, thus categorizing the Contract as a Supply Contract.

The CO performed a query on Google (Google Search) using the words Maquet Servo I, and only Maquet came up.

The CO performed a query on the GSA E-Library and using the words "Maquet" and Maquet did come up, but after clicking on it, it brought up the company Universal Hospital Services (UHS). This verified that Maquet did not have a Government Federal Supply Schedule (FSS) Contract. The CO confirmed with UHS that they do not sell Maquet items as well.

The CO confirmed with Maquet, Inc., that they do not sell directly to the Federal Government, and only have on re-seller to the Federal Government, who is PROAIM Medical. The CO further confirmed with Maquet, Inc., that neither they or their authorized re-seller had a FSS Contract.

The CO obtained written confirmation from the VA Technical Point of Contact (Jody Yoder), that they needed a Ventilator with the above mentioned features, and that those features were not available in another company's similar product. The CO also got confirmation of the later, from Maquet, Inc.

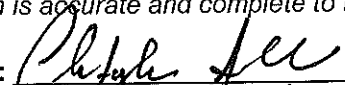
The CO confirmed with PROAIM, that they are the exclusive re-seller for Maquet, Inc., to the Federal Government, for the needed items, and that they have less than 500 employees, categorizing them as a Small Business.

(See copies of all Market Research Documents referenced above, or that support the above Market Research efforts and results, under the Procurement Action Briefcase, in the eCMS Contract File).

The Contracting Officer obtained an updated and new Quote from PROAIM. The quoted price is comparable to the price a previous Maquet, Inc. re-seller quoted to the VA Syracuse Medical Center, under VA Contract#VA528-14-F-0495, for the same Ventilators and Components, whereby the price of the Ventilators was \$12,945.41 each for two (2), and the price being quoted for the Ventilators for this Contract is \$12,500 each, for five (5). The price quoted for the Components are also comparable to what the VA Syracuse Medical Center paid under the above mentioned Contract. The total estimated price on the Purchase Request, matches prices that was previously provided the VA by a previous Maquet re-seller, as well as, matches the Independent Government Estimate. Therefore, the Contracting Officer feels the price is fair and reasonable.

(See copies of the Quote, and VA Syracuse Contract, in the Solicitation Action Briefcase, under S07, in the eCMS Contract File).

**6. Requestor Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature:   
Name: CHRISTOPHER SMITH  
Title: BUSINESS MANAGER  
Facility: CREATION VAIL

Date: 4/15/15

**7. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature: \_\_\_\_\_  
Name: Ronald Mazzei  
Title: Contract Specialist  
Facility: H.J. Heinz, Pittsburgh

Date: \_\_\_\_\_

**8. NCM/PCM Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature: \_\_\_\_\_  
Name: Michael Lamb  
Title: Branch Chief, Commodities Team 2, NCO4  
Facility: H.J. Heinz

Date: \_\_\_\_\_

