

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 523-15-2-7068-0754

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: See Attached for Brand Name Products Required

Manufacturer/Contractor POC & phone number: _____

Mfgr/Contractor Address: _____

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

VA Boston Healthcare System

150 S. Huntington Avenue

Boston, MA 02130-4817

VISN:

1

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

523-15-2-7068-0124 is a procurement request to prepare a BPA to obtain patient specific pharmacy supplies for a 10 month time period. These are critical patient medical supplies that are currently unavailable from the standard mandatory VA purchasing source.

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

Patients have specific needs for brand name pharmacy supplies that they are using on a chronic basis. The medical supplies are highly individual in meeting the needs of specific patients and are related to specific surgical needs and needs of specialized patients, such as those with spinal cord injuries. In order to prevent disruption of patient care for these needed medical supplies, it is necessary to retain the brand name products currently in use by the patients. These specific brand name supplies are required by the VA patients on a daily basis and are identified after the patients are examined by the medical and surgical providers who prescribe these specific supplies. There are over 1,400 pages of potential medical supplies that are used consistently by VA patients.

(b) ESTIMATED DOLLAR VALUE: \$ _____

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Limited Sources Justification Format >\$150K

(c) REQUIRED DELIVERY DATE: 4/1/2015

(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.

Unlike medications which the FDA rates interchangeable (brand/generic), there is no such designation for medical supply products. There may be slight variations in the product that may be relevant to the individual patient using the product (i.e. a diaper may have tape on one product and Velcro on another that would be beneficial to a patient with dexterity issues) or may improve safety (certain urinary catheters may have slight variations making it safer and easier for a patient to use on their own vs. a medical professional).

As such, our local process involves using medical supply products carried in our consolidated mail outpatient pharmacy in Chelmsford, which are mailed directly to the patient. This BPA will be used to stock the Chelmsford outpatient pharmacy on an as needed basis throughout the year.

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 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.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Limited Sources Justification Format >\$150K

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

(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:

Although it is necessary to obtain the patient specific brand name products, this effort will be solicited to NAC FSS contract holders under Schedule 65 II A with relevant categories. The competition will ensure the VA obtains the brand name products that meets the Government's needs at the best value.

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

Market Research was completed on GSA Schedule 65 II A, multiple categories that these products fall under. Market research was also completed on the NAC FSS search tool. This LSJ will be published to FedBizOps with a Sources Sought Notice to identify NAC FSS Schedule 65 II A contract holders under the applicable categories who have the ability to provide this wide range of brand name patient specific pharmacy supplies.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

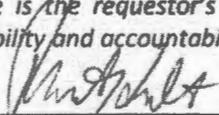
The brand name products are driven by the medical providers examination of the patients and their assessment as to which products will best meets the patients' needs.

(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:

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Limited Sources Justification Format >\$150K

Since these brand name products are patient specific based on medical providers examinations, it is unlikely the requirement for specific brand name products will disappear. The requirement for brand name is driven by the products that will best meet the patients' needs.

(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.)


SIGNATURE _____ DATE 2/11/2015
Robert Henault Chief of Pharmacy Pharmacy
NAME TITLE SERVICE LINE/SECTION
VA Boston Healthcare System
FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM, Volume 6, Chapter 1: OFOC SOP: This part if filled out by Contracting Staff as part of the Justification

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Valerie J. DeAngelis 908087
Digitally signed by Valerie J. DeAngelis 908087
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=valerie.deangelis@va.gov, cn=Valerie J. DeAngelis 908087
Date: 2015.02.11 13:11:58 -05'00'
CONTRACTING OFFICER'S SIGNATURE _____ DATE 2/11/2015

Valerie J. DeAngelis, Contracting Officer VA Providence
NAME AND TITLE FACILITY

QA Review

Gary W Dilk 231297
Digitally signed by Gary W Dilk 231297
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=gary.dilk@va.gov, cn=Gary W Dilk 231297
Date: 2015.02.12 10:29:04 -05'00'

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Limited Sources Justification Format >\$150K

b. **Director of Contracting/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



SIGNATURE

18 Feb 2015

DATE

Salvatore Voter
Branch Chief, Supply Branch 2
Designee NCO/PCO Director of Contracting