

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**2237 Transaction # or Vista Equipment Transaction #:** [REDACTED]

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: Automed Technologies, Inc. DBA Amerisource Bergen Technology Group

Manufacturer/Contractor POC & phone number: Katie McCarthy

Mfgr/Contractor Address: 1400 Busch Parkway, Buffalo Grove, IL 60089

Dealer/Rep address/phone number: 847-495-6685

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

**(1) AGENCY AND CONTRACTING ACTIVITY:**

Department of Veterans Affairs

Network Contracting Office 21

3375 Koapaka Street Suite F250

Honolulu, HI 96819

**VISN:**

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

VA Pacific Islands Healthcare system (VAPIHCS) seeks a task order off an existing FSS contract, V797P-4251B for routine preventative maintenance and repair of equipment manufactured by AutoMed Technologies, Inc. This task order will be firm fixed price.

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

VA Pacific Islands Healthcare System requires preventative maintenance and repair services of its Optifill and FastPak prescription drug equipment it purchased in 2005. A full service agreement is required which includes bi-annual preventative maintenance and repairs on an as-needed basis. The vendor shall provide service as necessary on the installed AmerisourceBergen pharmacy systems throughout the VAPIHCS. Support shall include telephone support, on-site field support, preventative maintenance as deemed necessary by AmerisourceBergen and system updates including updates to hardware, software and prescription drug information. Services also include repair as needed.

**(b) ESTIMATED DOLLAR VALUE:** [REDACTED] for the base year and [REDACTED] for base and option.

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(c) **REQUIRED DELIVERY DATE:** October 1, 2015 through September 30, 2016 with one option year.

**(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.

The only source of supply for maintenance and repair parts for the Optifill and FastPak is the manufacturer, AutoMed Technologies, Inc. The manufacturer is the only source with the required equipment and parts.

☒ 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.)

The Optifill and FastPak system are proprietary systems owned by the manufacturer. No other companies have the knowledge or capability to provide the required service or any of its required replacement parts.

☐ 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.

☐ 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:**

Prior to award of the task order, the Contracting Officer will make a determination that the price is fair and reasonable based on a comparison with the FSS schedule prices for the service. FSS prices have already been determined fair and reasonable by the Contracting Officer. The Contracting Officer will ask for any applicable discounts as well to ensure the VA is getting the best possible price.

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

The Contracting Officer spoke with the customer and determined that the repair services required are proprietary in nature and may only be performed by the equipment manufacturer. The Contracting Officer also confirmed this to be true with the vendor representative. Repair and maintenance of highly technical medical equipment may typically only be performed by the original equipment manufacturer (OEM) due to proprietary information. This request is standard for the type of service requested.

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The requirement will be posted on FedBizOpps along with this justification in accordance with FAR 8.405-6 and 5.301.

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

Optifll and FastPak are extremely expensive, large pieces of equipment that are used to fill and dispense prescription drugs in the pharmacy. To attempt to use any other OEM servicer, if any exist, would likely not be a prudent business decision. Any disruption to this equipment would cause significant delays with patient care in filling prescription medications. Disruptions would cause the pharmacy to essentially shut down.

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**(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:**

There is no action the agency can take to reduce barriers to competition.

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**(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.)*

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[Signature] September 1, 2015  
SIGNATURE DATE  
[Redacted] Administrative Officer Pharmacy Service  
NAME TITLE SERVICE LINE/SECTION  
VA Pacific Island Health Care System  
FACILITY

**(10) APPROVALS IN ACCORDANCE WITH THE** VHAPM, Volume 6, Chapter VI: 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.

[Redacted Signature] 8/28/15  
CONTRACTING OFFICER'S SIGNATURE DATE  
[Redacted Name and Title] NCO 21  
NAME AND TITLE FACILITY

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

[Redacted Signature] \_\_\_\_\_  
SIGNATURE DATE  
[Redacted Name] \_\_\_\_\_  
NAME  
NCO21 Branch Chief, Services Team II