

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 554-15-4-381-0017

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: Unknown: Any make or model

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
VHA Rocky Mountain Acquisition Center
4110 East Mississippi, Suite 900
Glendale, CO 80246

VISN:

VISN 19

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

Department of Veterans Affairs, VISN19, Eastern Colorado Health Care System (ECHCS) has requested an award action be processed as an urgent and compelling to support the acquisition of current technology off-the-shelf (COTS) UVC disinfection systems. The action being approved can/could be supported by a firm-fixed-price delivery order for three (3) UVC Hospital Room Sterilization Systems conducted under the authority of the Multiple Award Schedule Program.

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

The UVC Hospital Room Sterilization Systems which have been determined to represent the best value to the Government and meet the needs of the Eastern Colorado Health Care System are disinfection robots. This UVC disinfection and sterilization is a medical infection prevention requirement supporting life and health of Patients and Staff in the Denver-VA. The UVC system must be able to operate automatically, adjustable programs, self-scan and self-determine for UVC application times, run, store and provide run-time metrics and management reports, and be approved by the EPA and the Joint Commission for eradication of MRSA, C-Diff, and other causes of Hospital Acquired Infections.

(b) ESTIMATED DOLLAR VALUE: \$323,415.00

(c) REQUIRED DELIVERY DATE: October 17th, 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.
- ☐ 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.
- ☒ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

The Hospital's primary facility, Building #1 of the Denver VA is experiencing facility engineering failures that result in massive and major water supply and water waste spilling into Patient Care and Staff areas. These floods are estimated to exceed 20,000 gallons of water that are mixed with grey and black water – and other waste disposal streams. The immediate requirement exists to be able to apply the VA, CDC, EPA, and VA's EPS Model of two-step process to contain and clean these infected spill areas and then to apply (Step #2) which is absolute assurance of disinfection. There is 660,000 thousand square feet of space that must be disinfected – now. ECHCS has one single current system and cannot perform the disinfection and sterilization necessary in terms of speed, space covered, or adequacy to assure appropriate disinfection and not risk the infection of Patients and Staff. Ultra-violet disinfectant robots are used to eliminate Healthcare Acquired Infections and with our current and continuing expectation of failure in facility infrastructures – this need is urgent and compelling. We have an immediate need now for increased demand based on MRSA and C-Diff cases, and the results from the use of ultra-violet disinfection will counter the risks of infection and health issues otherwise. The addition of three (3) units will enable the ECHCS's EMS Service to combat this immediate need and ensure that the hospital is sanitized and disinfected. This equipment is to

increase the safety of patients and staff at the Denver VA Medical Center by immediately reducing the risk of exposure to Healthcare-associated infections (HAIs). This action is required to avoid life, safe, health care risk and delays in service and divert negative impact on patient care.

(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 item(s) (UVC Robots or like) acquired are on a FSS contract which is categorized as a mandatory VA source of supply. Significant cost reductions were provided by the vendor, reductions off pricing that was already determined fair and reasonable prior to inception of the contract vehicle.

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

The initial market research quote provided in Acquisition Plan VA259-15-AP-6821 revealed the requested product (or like product – or market equivalent) being available through Federal Supply Schedule (FSS) contract V797P-4135B. The Schedule contract is classified under Federal Supply Class (FSC) 65IIA, category SIN A-89 (Sterilizer and Sanitizer Equipment), a mandatory VA source of supply. Other schedule holders of 65IIA, SIN A-89 FSS contracts were surveyed to make the determination that an amount of \$323,415.00 is a fair and reasonable price for the three (3) requested UVC Room Disinfection Systems.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

We have facility failure now that is the cause of massive square feet cleaning and disinfection in critical patient care areas, direct patient care areas, and staff locations. This is expected to get worse and continue – a matter of life, health and safety. Healthcare-associated infections (HAIs) are a significant source of disease and death and can be combatted but ECHCS must have the equipment to do so – immediately. AHRQ reports that US hospitals have an estimated 1.7 million infections and 99,000 deaths each year due to HAIs. UV light is a reliable, well studied antimicrobial technology that is immediately available and considered Commercial Off-the-Shelf Technology. It is especially advantageous for use in hospitals because it kills the spore-forming bacterium C. diff, which is a major source of hospital-acquired infections. UV disinfection requires very little labor and does not use hazardous chemicals.

(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:

The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed.

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

(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

CHRISTOPHER GRIGSBY

Chief, EMS

DATE

22 SEP. 2015

NAME

VA ECICS

TITLE

FACILITY

Service
Environmental Management
SERVICE LINE/SECTION
→ Environment of Cave
Section

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM, Volume 6, Chapter VI: OFOC SOP: *This part is 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.

CONTRACTING OFFICER'S SIGNATURE

DJ Neal Contracting Officer

NAME AND TITLE

DATE

21 Oct 2015

NCO 19

FACILITY

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

SIGNATURE

Gary Anwood Div Chief II

NAME

NCO/PCO-X Director of Contracting

DATE

10/21/2015