

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 554-16-1-068-0036

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: KaVo

Manufacturer/Contractor POC & phone number: Lee Ofner, DDS, 719-337-1660

Mfgr/Contractor Address: KaVo Dental Technologies, LLC, 11727 Fruehauf Dr., Charlotte, NC 2827

Dealer/Rep address/phone number: Lee Ofner, DDS, **E-Mail:** lee.ofner@kavo.com, 719-337-1660

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs-554
1055 Clermont Street
Denver, CO, 80220
303-399-8020 ext. 3892

VISN:

19, Network Contracting Office

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

We need the additional 175 hand pieces from KaVo to supplement the current KaVo hand piece inventory in the dental clinic and to standardize/supply the Pueblo clinic with hand pieces. We currently own a KaVo dental hand piece cleaning machine that the hand pieces are compatible with. Also, the extra hand pieces will support off-site sterilization efforts at St. Joseph Hospital and the Cheyenne VA. The current turn-around time for sterilization at the Cheyenne VA is 5 working days. Cheyenne is currently doing all the dental sterilization. A modification of the St. Joseph contract is pending the price negotiations with contracting. Even if dental sterilization was performed at St. Joseph hospital the turn-around time is 72 hours (3 days).

Currently the dental clinic is canceling 1-2 patients daily due to lack of KaVo dental hand pieces.

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

KaVo MASTERtorque M8900L		150			
KaVo MASTERmatic Mini M8700L		25			
Subtotal					
volume discount by FSS Contract					
The pricing provided is valid through the KaVo contract expiration or until pending modifications are approved by the VA. FSS Contract expires 4/19/17.					

\$ 160,254.25

(b) ESTIMATED DOLLAR VALUE: \$160,254.25

(c) REQUIRED DELIVERY DATE: October 23, 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.)

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☐ 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.

This is an Unusual and Compelling procurement based on we currently own KaVo hand pieces to have conforming and standard product throughout the SPS service we need to procure the KaVo hand pieces. The requested KaVo hand pieces are replacements and additional hand pieces that fit with our current dental equipment systems. Currently the dental clinic is canceling 1-2 patients daily due to lack of KaVo dental hand pieces. This equipment is emergent because we do not have enough KaVo hand pieces to provide patient care and patients are being canceled. Need KaVo hand pieces ASAP to avoid further patient cancelations per the Chief of Staff and the Director at ECHCS.

(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:

We need the additional 175 hand pieces from KaVo to supplement the current KaVo hand piece inventory in the dental clinic and to standardize/supply the Pueblo clinic with hand pieces. We currently own a KaVo dental hand piece cleaning machine that the hand pieces are compatible with. Also, the extra hand pieces will support off-site sterilization efforts at St. Joseph Hospital and the Cheyenne VA. The current turn-around time for sterilization at the Cheyenne VA is 5 working days. Cheyenne is currently doing all the dental sterilization. A modification of the St. Joseph contract is pending the price negotiations with contracting. Even if dental sterilization was performed at St. Joseph hospital the turn-around time is 72 hours (3 days).

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Currently the dental clinic is canceling 1-2 patients daily due to lack of KaVo dental hand pieces.

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

CATALOG NUMBER	CONTRACT NUMBER	BPA CONTRACT NUMBER	GSA	PV	PRODUCT LONG DESCRIPTION	CONTRACTOR NAME
1.008.7800	V797P-3218M		X	X	KaVo MASTERtorque M8900L (1.008.7800)	Kavo Dental Technologie

CATALOG NUMBER	CONTRACT NUMBER	BPA CONTRACT NUMBER	GSA	PV	PRODUCT LONG DESCRIPTION	CONTRACTOR NAME
3.001.0000	V797P-3218M		X	X	KaVo MASTERmatic Mini M8700L (3.001.0000)	Kavo Dental Technologie

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

We must follow the manufacturer's for use for sterilization. Although these hand pieces are available via Adec and Dentsply, the KaVo sterilization parameters are the ONLY parameters that match our current sterilization parameters off-site at St. Joseph hospital. Also, with paying for off-site sterilization approximately \$180.00 per load, the sterilization parameters need to be consistent with all other re-usable medical equipment parameters which is 270F, for 4 minutes, and a 20 minute dry time. Other dental hand pieces require sterilization at 275F, for 15 minutes, and a 30 minute dry time. We need to standardize to achieve cost savings with sterilization as well.

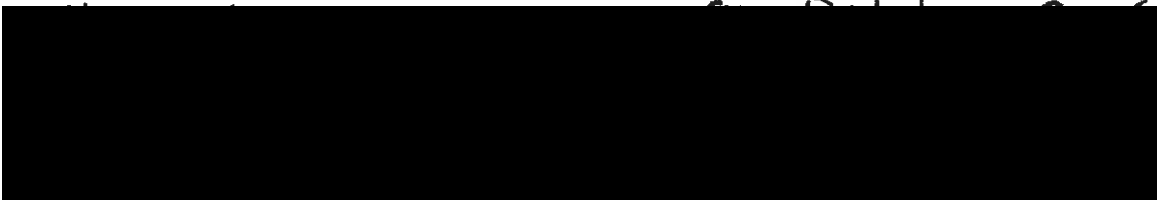
(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

Compete this requirement for full and open competition when facility determines it is time to replace the KaVo instruments for the entire hospital.

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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:

(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.)*



(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.



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



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HIGHER LEVEL APPROVAL (Required For orders over \$650,000):

c. **SAO:** I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

SIGNATURE

DATE

NAME
Director, SAO X

d. **VHA HCA REVIEW AND APPROVAL (over \$650,000 to \$12.5 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

NAME
VHA Head of Contracting Activity (HCA)

DATE

e. **VA Deputy Senior Procurement Executive Approval (\$12.5 million not to exceed \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

C. FORD HEARD
Deputy Senior Procurement Executive (DSPE)

DATE

f. **VHA Senior Procurement Executive Approval (over \$50 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

JAN R. FRYE
Deputy Assistant Secretary
Office of Acquisition and Logistics
Senior Procurement Executive (SPE)

DATE