

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID:** VA255-15-AP-5083 / 589-16-1-4731-0004

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:**

Manufacturer/Contractor: GE Healthcare

Manufacturer/Contractor POC & phone number: Matt Harrison (919) 244-8792

Mfgr/Contractor Address: 3000 N. Grandview Blvd. Waukesha, WI 53188

Dealer/Rep address/phone number: N/A

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

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

Department of Veterans Affairs

SAO Central/NCO 15

3450 S. 4<sup>th</sup> Street Trafficway

Leavenworth KS 66048

**VISN: 15**

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

Establishment of a firm-fixed price contract for OEM full service maintenance and repair of installed GE Healthcare Innova 3100 and Innova 4100 x-ray systems and ancillary equipment on-site at the Robert J. Dole VA Medical Center in Wichita, KS.

The contract will consist of a base and one (1) option year to commence on 11/15/2015 with a total estimated contract price of \$484,975.00 to furnish shared service support for the maintenance (scheduled and unscheduled) and repair of GE Healthcare brand x-ray systems and ancillary equipment on-site at the Robert J. Dole VA Medical Center.

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

The services required are for the furnishing of shared service maintenance (scheduled and unscheduled) and repair of installed GE Healthcare brand x-ray systems and ancillary equipment on-site at the Robert J. Dole VA Medical Center located in Wichita, KS. Coverage includes all required parts, glassware, digital detectors, tables, installation (when applicable) calibration, labor, travel, tools, test equipment and other incidentals necessary to maintain and/or restore the listed equipment to operating specifications according to the manufacturer's recommendations throughout the term of the contract.

**(b) ESTIMATED DOLLAR VALUE:** \$484,975.00

(c) REQUIRED DELIVERY DATE: 11/15/15

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**(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.**

☒ 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.

GE Healthcare is uniquely qualified to provide the requested services to Robert J. Dole VA Medical Center based upon the following:

a. The proper maintenance, repair, and calibration of the stated x-ray systems and ancillary equipment is extremely critical because equipment that is not properly maintained, tested and calibrated can result in the delivery of misdiagnosis of patient studies that could severely cause harm to the patients served at this Medical Center. Having this equipment operate properly is therefore critical to the health of patients. There is no room for any possible failure of parts, miscalibration or deviation from established maintenance or repair standards. Only factory trained and certified technicians, utilizing diagnostic software specifically designed for the equipment and utilization of Original Equipment Manufacturer (OEM) parts can assure that this critical equipment operates properly.

b. GE Healthcare has the legal rights to proprietary equipment diagnostic software. Failure to utilize the proprietary diagnostic software may result in the inability to identify equipment operating parameters and the inability to accurately calibrate the equipment.

c. GE Healthcare has access to OEM parts and supplies. Failure to utilize OEM parts may result in the improper operation of the equipment. Other vendors may have access to the required OEM parts, but they do not stock the full range of parts that is required to assure maximum response times required by the VA Medical Center. Only GE Healthcare maintains a full inventory of spare parts.

d. GE Healthcare has factory trained and certified technicians who are specifically qualified to work on GE Healthcare equipment. GE Healthcare does not contract with any third party service providers.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is: Software

☐ These are "direct replacements" parts/components for existing equipment. N/A

☐ 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. N/A

☐ 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. N/A

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

**(4) 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:**

All services that will be purchased on this order have pricing under VA NAC contract number V797P-6019B. Services are only available from GE Healthcare and the overall price will be evaluated for price reasonableness through comparison with NAC pricing and other contracts for the same services.

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

A search was made of GSA, Vetbiz, SBA and FBO and only GE Healthcare was identified as being able to provide the requested maintenance and repair services due to proprietary software and parts. A special notice of intent to sole source to GE Healthcare was posted to FBO.gov on 8/17/15; no responses from other capable vendors were received.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION: N/A**

**(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:**

Prior to subsequent acquisitions, market conditions will be researched to determine if GE Healthcare has allowed other parties access to its proprietary software and parts.

**(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.

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SIGNATURE

Ryan Epley  
BESS, FMS/BIOMED  
Robert J Dole VAMC, Wichita, KS

DATE

**(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM, Volume 6, Chapter VI: OFOC SOP](#):**

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

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Michelle Avery

Contracting Officer  
NCO 15

b. **Division Chief:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

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Peggy Becker  
Division Chief, Division I  
NCO15