

LIMITED SOURCES JUSTIFICATION
ORDER >\$150,000
FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 657-16-2-2038-0046

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: Siemens Industry, Inc.

Manufacturer/Contractor POC & phone number: Bill Combs

Mfgr/Contractor Address: 1000 Deerfield Parkway, Buffalo Grove, IL 60089

Dealer/Rep address/phone number: 314-817-1112

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

Marion VA Medical Center

2401 W Main Street

Marion, IL 62959-1188

VISN:

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

Provide total maintenance and repair of the Siemens fire protection system. Provide complete testing and documentation of the Siemens fire protection system.

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

This service contract requires the furnishing of all labor, material, equipment, supervision, management, tools, transportation, and supplies for the complete testing and documentation, preventive maintenance and repairs of the Siemens fire protection systems for the Marion VA Medical Center, herein after referred to as VAMC. The requirements for testing and documentation, preventive maintenance, and repairs of the systems components are as stated below. The Siemens fire alarm system and related equipment will be tested.

(b) ESTIMATED DOLLAR VALUE: \$332,009.90 Base Plus Four Option years

(c) REQUIRED DELIVERY DATE: POP: 05/01/2016 thru 04/30/2021

(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 fire alarm system at the Marion VAMC is a base loop system. The Contractor will provide total preventive maintenance and repairs, and required testing, to the Siemens fire alarm systems and devices at the Marion VAMC. The base loop system is a Siemens Fire Finder XLS system. It is a digital voice addressable system. Siemens Industry, Inc. is the sole authorized servicing agent and the only factory authorized holder of the proprietary hardware, software and system program of the Siemens fire alarm system installed at the VA Medical Center, Marion, IL.

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 base loop system is a Siemens Fire Finder XLS system, Siemens Industry, Inc. is the sole authorized servicing agent and the only factory authorized holder of the proprietary hardware, software and system program.

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:

As this is a task order under an FSS contract, the prices are already determined to be fair and reasonable and no separate determination of fair and reasonable pricing need be made. FAR 8.404(d).

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

In accordance with FAR Part 10.002, market research was conducted to identify any other potential sources for the above mentioned requested services. Market research was conducted with current award, previous awards, a search of other VISN contracts within the VHA and other agency contracts available on the Federal Business Opportunities (FBO) website. The services being request has been solicited and awarded (VA255-15-F-4167) in support of the St. Louis Healthcare System, JB division and subsequently terminated. The services requested were award under GSA – SIN 03FAC, Category 561 001, to Media Plumbing & Heating, Inc. DBA: Kinetix on July 1, 2015 as a base plus four (4) and was terminated on 25 September 2015. The termination was due to the inability for Kinetix to gain access to the Siemens proprietary software which is necessary to fulfill the requirements under the contract. Although at the time of award Kinetix did supply documentation of a national service agreement with Siemens, the service agreement did not include the software necessary to fulfill the requirement of the awarded contract. The initial solicitation (VA255-15-Q-0934) was posted to <https://www.gsaadvantage.gov/advantage/>, as a FSS “Unrestricted” procurement. Only two (2) vendors responded will offers, Kinetix and Siemens Industry, Inc., as stated above the procurement was awarded to Kinetix on July 1, 2015 and terminated on September 25, 2015. No other vendors responded to the previous sources sought posted or submitted an offer to the posted solicitation. Furthermore, all other vendors that were contacted responded with “The Siemens system is the most restrictive and proprietary system on the market”.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

If the requested service and maintenance are not performed in accordance with manufactures specifications and as required by Federal and State policies, serious damage to the system could occur because of the inability to predict system malfunctions and receive notifications as required. Because of the critical function of the fire alarm system (property and lifesaving) to the medical center and the need to have it operationally available, without which could cause considerable damage and possible loss of life and possibly substantial duplication of cost to the government. Furthermore the medical center could be in jeopardy of not being in compliance with Joint Commission, which would result in conditional accreditation for the whole health care system.

(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:

