

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

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA261-16-AP-1525

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: V797D-30172 PENTAX OF AMERICA, INC.

Manufacturer/Contractor POC & phone number: Sam Ho 800-431-5800 ext. 2021

Mfg./Contractor Address: 3 Paragon Drive, Montvale, NJ 07645

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

Palo Alto Medical Center

Network Contracting Office (NCO 21)

3801 Miranda Ave., Bldg. T-50

Palo Alto, CA 94304

2237: 640-16-1-531-0033

VISN:

21

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

Approval is requested for a new sole-source delivery order contract with Pentax of America, Inc. to provide the Pentax HD Laryngeal Stroboscopy and Visi-Pitch systems for the new VA/DOD Monterey Healthcare Center. The anticipated contract will be a firm-fixed price contract with no options funded by the Activations Major Project Section, Office of Facility Planning and Development.

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

Stroboscopic imaging of vocal fold vibratory function during phonation continues to play a central role in diagnostic, therapeutic, and surgical decisions during the management and treatment of voice disorders. Laryngeal videostroboscopy continues to be the imaging modality of choice by voice clinicians due to its historical use and ability to efficiently capture many salient vocal fold vibratory characteristics. Visual and objective assessments of certain laryngeal features can be unreliable using stroboscopic imaging; further research is warranted into integration of laryngeal high-speed videoendoscopy and other alternate imaging modalities into routine clinical practice to improve the management of voice disorders. The Visi-Pitch IV is used to record patient speech and voice representations.

(b) ESTIMATED DOLLAR VALUE: [REDACTED]

(c) REQUIRED DELIVERY DATE: May 31, 2016

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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.
Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; FAR 8.405-6(c).

Schedule 65II is a mandatory source for medical equipment and supplies. Pentax of America, Inc. is the only federal supply schedule (FSS) mandatory schedule 65II A contract holder that can provide the brand of equipment requested.

A sources sought RFQ 1070259 was posted on GSA eBuy March 02, 2016 and closed March 8, 2016. Forty Seven (47) vendors were notified and nine (9) responded stating they could not provide and/or did not have a "or equal to" product.

☐ 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.

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(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:

Schedule 65II is a mandatory source for medical equipment and supplies. Pentax of America, Inc. is the only federal supply schedule (FSS) mandatory schedule 65II A contract holder that can provide the brand of equipment requested.

There were no "or equal to" models presented for comparison during market research and/or discovered during a sources sought notice issued on GSA eBuy RFQ1070259. Forty Seven (47) vendors were notified and nine (9) responded stating they could not provide and/or did not have a "or equal to" product.

IAW pricing established by the VA NAC Contract with Pentax of America, Inc. All CICA requirements have been met and all pricing under FSS contract V797D-30172 (Mandatory Schedule 65 IIA) has been determined fair and reasonable IAW FAR Subpart 8.4 procedures.

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

Source sought RFQ1070259 was posted on GSA eBuy March 02, 2016 and closed March, 08, 2016. Forty Seven (47) vendors were notified and nine (9) responded stating they could not provide and/or did not have a "or equal to" product.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

(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:

Market research, and sources sought seeking brand name or equal can be conducted for future and/or subsequent procurements to determine if there are any changes in comparable technology by potential vendors.

(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

NAME

FACILITY

JAMES M ROMER

VA PALO ALTO

TITLE

SUPERVISORY PROJECT
MANAGER

DATE


3/17/16

OFFICE OF FACILITY PLANNING
SERVICE LINE/SECTION AND DEVELOPMENT

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(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

03/17/2016

DATE

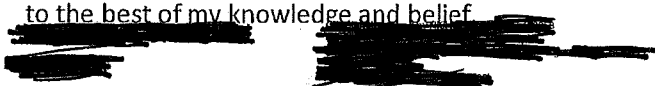
Mandy Thompson, Contract Specialist

NAME AND TITLE

NCO 21

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

03/17/2016

DATE

Nicholas J. Kluch

NAME

Branch Chief, Prosthetics, NCO 21