

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 657-16-1-2750-0001 (MAR); 589-16-1-4731-0001 (WIC); 657-16-1-3729-0005 (PB); 657-16-1-1110-0003 (STL); 589-16-1-5686-0001 (COL); 589-16-1-1648-0002 (KC); 589-16-1-2761-0001(EKS).

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: Carefusion Solutions, LLC

Manufacturer/Contractor POC & phone number: Miriam Ramirez (858) 617-4334

Mfgr/Contractor Address: Pyxis Products Division, 3750 Torrey View Ct, San Diego, CA 92130-2635

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

NCO 15

3450 S 4th St

Leavenworth, KS 66048

VISN:

15

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

Pyxis equipment maintenance and repair services.

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

Contractor to repair, maintain and update software on all Pyxis pharmacy equipment within VISN 15 facilities. Parts that fail during normal use will be replaced at no charge. Labor and travel for Carefusion technicians is included, as is telephone support.

(b) ESTIMATED DOLLAR VALUE: \$4,048,610.00 for base and four (4) option years

(c) REQUIRED DELIVERY DATE: Base year period of performance 1/1/16 – 12/31/16 with 4 option years

(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.

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

☐ 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.

Carefusion is the manufacturer of the equipment and only Carefusion Field Service Technicians are authorized to provide maintenance and repair services without risk of voiding warranties and certification of the equipment.

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

Carefusion maintains proprietary rights over parts and software for its Pyxis equipment. Only Field Service Technicians trained and directed by Carefusion can gain access to these parts and software and provide repair services.

☐ 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.

(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:

This order represents the best value to VISN 15 because it will allow the Pyxis pharmacy equipment to be maintained in fully operational order to support Veteran care.

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

A proprietary statement was received from Carefusion. Past VISN 15 contracts for these services have been sole sourced to Carefusion Solutions, LLC. A search of FBO identified sole source notices, J&As and awards to Carefusion for Pyxis maintenance. A search of FPDS showed only awards to Carefusion for Pyxis maintenance. No other vendors were identified.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

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

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:

Market research will be conducted prior to exercising option to determine if changes have taken place in the marketplace.

(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.

Cherlyn Ziegler
Digitally signed by Cherlyn Ziegler
DN: cn=Cherlyn Ziegler, o, ou,
email=cherlyn.ziegler@va.gov, c=US
Date: 2015.11.03 10:07:03 -06'00'

SIGNATURE

DATE

Cherlyn Ziegler
Bio-Med Support Equipment Specialist
St. Louis VA Medical Center

(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.

William K. WEBB
345212
Digitally signed by William K. WEBB 345212
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=william.webb99@va.g
ov, cn=William K. WEBB 345212
Date: 2015.11.05 14:28:54 -06'00'

CONTRACTING OFFICER'S SIGNATURE

11-5-2015
DATE

William K. Webb
Contracting Officer
Network Contracting Office (NCO) 15

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

Loyd D JACKSON 346520
Digitally signed by Loyd D JACKSON 346520
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=loyd.jackson@va.gov, cn=Loyd D JACKSON
346520
Date: 2015.11.19 16:34:01 -06'00'

SIGNATURE

DATE

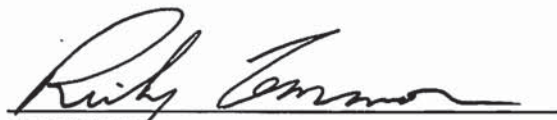
Scott R. Fiscus
Director of Contracting
Network Contracting Office (NCO) 15

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

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.

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


SIGNATURE

11/25/15
DATE

Ricky L. Lemmon
Director, SAO Central Region
SAO Central Head of Contracting Activity (HCA)