

Attachment A: Request for Limited Sources Memo Format

LIMITED SOURCES JUSTIFICATION
ORDER >\$3,000
FAR PART 8.405-6(g)

2237 Transaction # or Vista Equipment Transaction #: 646-12-2-216-0021

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: BIOLOGICS INC

Manufacturer/Contractor POC & phone number: 727-410-4651

Mfgr/Contractor Address: 33 NORTH GARDEN AVE SUITE 825 CLEARWATER, FL 33755

Dealer/Rep address/phone number: Mark Hagopian 727-410-4651

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

University Drive C

Pittsburgh PA 15240

VISN:

4

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

Brand Name Only and Only available Source Sole Source Award.

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

The Auto Vector Surgical table surface, a.k.a. the "Dolphin". Solely manufactured by Biologics Inc. in Clearwater Florida. This system includes a custom O.R. table top surface and an electronic, computerized pressure control unit.

ESTIMATED DOLLAR VALUE: \$56,265.00

(c) REQUIRED DELIVERY DATE: 4-30-12

(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.

X 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 Auto Vector Surgical table surface, a.k.a. the "Dolphin" is solely manufactured by Biologics Inc. in Clearwater Florida and is the only item of its kind on the market. The Dolphin is the only O.R. table surface to offer fluid immersion simulation technology. The Dolphin surface is the only O.R. table surface connected to a computer algorithm that, when a patient is placed on the pad, automatically measures the density, weight and surface area of the patient's body and precisely adjusts the density of air in the mattress to simulate buoyancy. Any time the patient's position on the pad changes, the computer automatically responds and re-profiles the air in the mattress to keep the fluid immersion simulation intact. The request to purchase this specific new custom made O.R. table tops for patient safety is supported strongly by the Patient Safe Handling Committee.

Biologics, Inc. is the Sole Exclusive Seller and installer of their Auto Vector "Dolphin" surgical table surfaces.

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

N/A

X These are "direct replacements" parts/components for existing equipment.

Most of the disposables requested are direct components of existing equipment owned by the operating room.

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.

N/A

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:

Per FAR 8.404 (d), schedule contract prices are fair and reasonable, and by placing Orders against schedule Contracts, using procedures at 8.405, the ordering activity has concluded that the order represents the best value and results in the lowest overall costs to meet the government's needs.

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

N/A – Sole Source. Also not required since the Contract Amount is under the SAT.

(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:

The Sole Source Justification will be posted as a Special Notice (Notice of Intent to Sole Source), to Fedbizopps for 3-5 days.

(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.)*

Lisa Mincone 3-5-12
SIGNATURE DATE
Lisa Mincone Inventory Mgmt Specialist SSSL
NAME TITLE SERVICE LINE/SECTION
University Drive, Pittsburgh PA
FACILITY

(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(h):

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

Ronald Mazzei 3/19/12
CONTRACTING OFFICER'S SIGNATURE DATE
Ronald Mazzei
NAME AND TITLE FACILITY

HIGHER LEVEL APPROVAL (For orders over \$500,000): ☐ REQUIRED ☐ NOT REQUIRED

b. QA OFFICER: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. **This signature may be the VISN NCM/PCM if the Contracting Officer and Contracting Supervisor is the same individual.*

SIGNATURE DATE

NAME AND TITLE

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

M. J. Byrd 3/20/2012

SIGNATURE

DATE

Michael J. Lamb

NAME

VISN X NCM

d. **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

e. **VHA HCA REVIEW AND APPROVAL (over \$500,000 to \$10 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

NORBERT DOYLE

DATE

Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

f. **VA Deputy Senior Procurement Executive Approval (\$10 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

IRIS B. COOPER

DATE

Deputy Senior Procurement Executive (DSPE)

g. **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

DATE

Deputy Assistant Secretary

Office of Acquisition and Logistics
Senior Procurement Executive (SPE)