

FAR PART 8.405-6

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.)

Dealer/Rep address/phone number: same as above

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

VISN: 23

A delivery order will be placed for the procurement of annual software licenses for the InstrumenTrac system utilized by the Sterile Processing Department (SPD) in conjunction with the Real Time Location System (RTLS).

Annual software license for the InstrumenTrac software system for all VISN 23 sites. This software tracks medical instruments through the sterile processing department's processes to ensure that these instruments have been sterilized and are available for use in surgical procedures.

(b) ESTIMATED DOLLAR VALUE: \$1,586.902.00 (BASE AND OPTIONS)

GSA Contract GS-35F-0462X

Manufacturer	Product	Location	Quantity	Unit Price
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Fargo VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Sioux Falls VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Fort Meade VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Hot Springs VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Minneapolis VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Omaha VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Grand Island VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Des Moines VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	Iowa City VAMC	1	\$31,738.04
Censis Technologies, Inc.	Subscription – RTLS InstrumenTrac	St. Cloud VAMC	1	\$31,738.04
Base Period Totals (12/1/2016 to 11/30/2017):			10	\$317,380.40
Brief Description of Service*			Period of Performance	Estimated Amount
RTLS InstrumenTrac Subscription - Option Year 1			12/01/2017 - 11/30/2018	\$ 317,380.40
RTLS InstrumenTrac Subscription - Option Year 2			12/01/2018 - 11/30/2019	\$ 317,380.40
RTLS InstrumenTrac Subscription - Option Year 3			12/01/2019 - 11/30/2020	\$ 317,380.40
RTLS InstrumenTrac Subscription - Option Year 4			12/01/2020 - 11/30/2021	\$ 317,380.40

(c) REQUIRED DELIVERY DATE: December 1, 2016 (12/01/2016)

(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.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is: The current system, InstrumenTrac, employed by Censis Technologies, Inc. requires the renewal of annual software licenses. This software is proprietary to Censis Technologies, Inc. Therefore, no other vendor can provide the software license keys needed for renewal of subscription of this software.

☐ 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:

The proprietary software keys and software license are only available from Censis Technologies.

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

Market research results concluded that any other vendor selection would result in the need to create a product that meets the specific needs of the Government and VISN 23. No product is currently available off the shelf to replace the current system employed by Censis Technologies, Inc.. Vetbiz was searched and no SDVOSB vendors were identified that could meet the requirement.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

None

(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:

Barriers to competition will be overcome when VISN 23 trials a new etching and commissioning inventory project

(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

Caroline Campbell

NAME

VISN 23

FACILITY

Chief Biomedical Engineer

TITLE

DATE

BIOMED

SERVICE LINE/SECTION

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

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

10/14/2016

Lance Haman
Contract Officer
NCO 23 FARGO

DATE

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

10/18/2016

Daryl Berg
NCO23 Director of Contracting

DATE

HIGHER LEVEL APPROVAL:

c. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$13.5 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.

10/24/2016

Linda S. Greaves
Acting Director, SAO Central Region
SAO Central Head of Contracting Activity (HCA)

DATE