

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA263-17-AP2359

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: CSL Behring L.L.C

Manufacturer/Contractor POC & phone number: 800-683-1288

Mfgr/Contractor Address: 1020 1st. Ave King of Prussia, PA 19406

Dealer/Rep address/phone number: 800-683-1288 1020 1st. Ave King of Prussia, PA 19406

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

4801 Veterans Drive

St. Cloud, MN 56303

VISN:

23

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

Privigen 10 gm vial, NDC 44206-0437-10

Privigen 5 gm vial, NDC 44206-0436-05

Privigen 20 gm vial, NDC 44206-0438-20

Privigen 40 gm vial, NDC 44206-0439-40

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

Privigen 10 gm vial, NDC 44206-0437-10

Privigen 5 gm vial, NDC 44206-0436-05

Privigen 20 gm vial, NDC 44206-0438-20

Privigen 40 gm vial, NDC 44206-0439-40

(b) ESTIMATED DOLLAR VALUE: \$441,176.55

(c) REQUIRED DELIVERY DATE: 12/7/16

(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: (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.

The medical provider selected this particular immune globulin medication for the use of veterans. Medication requested is for treatments to veterans prescribed by medical providers. The medication is needed for treatment.

(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 is considered to be fair and reasonable; based on FSS pricing. In accordance with FAR 8.404 (d), GSA has already determined the price to be fair and reasonable.

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

These items are not available from current agency inventory, excess from other agencies, Federal Prison Industries, Ability One, or VA National Acquisition Center Wholesale Supply. When VIEBiz was researched, no matches were found for "privigen". I contacted CSL Behring and they do not have any SDVOSB/VOSB distributors or a mentoring partnering arrangement.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

This medication is available on NAC contract number V797D-50358 from CSL Behring.

(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:

None
