

**JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW [FAR 13.106-1](#)**  
(OVER MICRO-PURCHASE THRESHOLD(\$3.5K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements **explaining the absence of competition** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

**1. ACQUISITION PLAN ACTION ID:**  
[VA246-17-AP-9589](#)

**1A. PROJECT/TASK**  
**No.**

**1B. ESTIMATED AMOUNT:**  
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**2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:**

The Charlotte VA Health Care Center (HCC) has a need for FMS DUO Fluid Management System (FMS) Pump equipment to expand the Salisbury VAMC's orthopedic program. This equipment is used during arthroscopic surgery to ensure a clear and unobstructed surgical field. It is manufactured and distributed solely by DePuy Synthes.

**3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:** The DePuy Synthes FMS equipment is unique in that it can maintain constant pressure throughout a surgical case. Many pumps on the market only provide inflow irrigation and thus require wall suction for outflow. This means to increase pressure, you must increase flow. This can lead to tissue extravasation into the surrounding tissues and extensive swelling. The FMS DUO includes a VAPR radiofrequency system designed to provide soft tissue ablation (vaporization), contouring, cutting and hemostasis of blood vessels during arthroscopic surgical procedures. The Salisbury VAMC currently has two (2) FMS DUO with VAPR radiofrequency systems in service with all associated supplies. This requirement is to expand the present orthopedic program's surgical equipment so the same FMS equipment used at the Salisbury VAMC is used at the Charlotte HCC. The surgical and clinical staff work at both locations and standardization is needed for patient safety, which is a concern when various brands and disposables are intermingled creating the probability of error. Award will be issued to DePuy Synthes under authority of FAR 6.302-1.

**4. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:** VIP was searched using NAICS code 339112 and keyword: "Depuy"- VIP listed no VOSB/ SDVOSBs. Also searched VIP using keyword "arthroscoy" and no VOSB/ SDVOSBs were found. A Sources Sought Notice (VA246-17-N-0179) was posted on 5/10/17 for brand name or equal to Depuy Fluid Management System equipment. One response was received from AGF Enterprise LLC for a different product- Skyline Medical Streamway System. I forwarded the literature to ■■■■■ at the Salisbury VAMC to ascertain if it was an "equal" system. She said that the Streamway system is simply a suction system for an OR room (to replace suction canisters). It is not a pump system to control inflow and outflow for arthroscopic surgery like the requested Depuy Fluid Management System. I also had in my notes that L1 Enterprises was a distributor for Depuy. I obtained their contact information off the VIP site and emailed them to inquire whether they could supply this equipment. ■■■■■ responded back that they used to carry Depuy Synthes products but they no longer do. Lastly, I received an email from ■■■■■ stating that Depuy Synthes (Johnson & Johnson) is the sole manufacturer and distributor of this equipment.

**5. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. Note: COs are required to make a determination of price reasonableness IAW FAR 13.106-3. See the [Commercial Supply and Service SOP](#) for Price Reasonableness templates.*



**Dori Dabbs**  
**Contracting Officer- NCO 6**

**5/16/2017**