

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA244-17-AP-5671

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: Natus Medical Incorporated

Manufacturer/Contractor POC & phone number: 608-829-8775

Mfgr/Contractor Address: 3150 Pleasant View Road, Middleton, WI 53562

Dealer/Rep address/phone number: Ken Matt 215-290-7223

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

LVAMC

1700 S. Lincoln Ave.

Lebanon, PA 17042

VISN:

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

2 portable EEG machines to be used for outpatient and inpatient EEG monitoring; 2 Ambulatory EEG machines to be used for 48 hour outpatient EEG monitoring; 1 reviewing station; 1 server; NeuroWorks software.

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

2 portable EEG machines to be used for outpatient and inpatient EEG monitoring; 2 Ambulatory EEG machines to be used for 48 hour outpatient EEG monitoring; 1 reviewing station; 1 server; NeuroWorks software, see below for details:

2 EEG/Sleep Acquisition Desktop w/Camera w/SW Zoom on Trolley Cart

2 24in FP Monitor

2 Medical Grad UPS w/Isolation (North America 5-15r HG plug)

2 Brain Monitors

2 Neuro Works 8.x Acquisition Software w/Spike/Event and High Resolution Video

2 MS Word Report Editor for Neuroworks/Sleepworks

2 Computer provided w/encrypted hard drive

2 LED Photoc Stimulator

1 Review/Monitoring Desktop

1 NeuroWorks 8.x Review Software

1 24 in. FP Monitor

1 MS Word Report Editor for Neuroworks/Sleepworks

1 Computer provided w/encrypted hard drive

2 Trex HD Ambulatory EEG w/ cases

1 2 Terabyte data server and Rack to store live EEG readings

1 NeuroWorks/SleepWorks 8.x Data Server Software

New purchase of 1 NeuroWorks/SleepWorks 8.x Data Server Software

1 HL7Implementation for NeuroWorks 8.x IMPORT

1 HL7-OUT-8 HL7 Implementation for NeuroWorks 8.x EXPORT

Installation of equipment

Training for staff on equipment

1 year warranty

(b) ESTIMATED DOLLAR VALUE: \$163,599

(c) REQUIRED DELIVERY DATE: 30 ARO

(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. (CHECK ALL THAT APPLY AND COMPLETE)

☒ 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 department of neurology has utilized two other brands of neuro-diagnostic products in the past. Nichon Kohden (EEG machine) was a good product; however the VISN mandated the switch to Natus because the Nichon Kohden machine could not be connected to the review station via the VA network, citing security concerns. The department also had a Cadwell EMG machine that had performance issues and froze during studies only two years after the purchase. The Natus brand is compatible with our network and has proven to be a reliable product

☐ 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.

One (1) EEG machine is unrepairable and the other does not have the required software.

☒ 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 VISN mandated the switch to Natus because the Nichon Kohden machine could not be connected to the review station via the VA network, citing security concerns

☐ 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 current EEG and Ambulatory EEG machines operate on Windows XP, which is no longer supported. One (1) of the EEG machines has crashed and is not repairable and the other EEG machine does not have the new required software to run the Ambulatory EEGs.

(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 department of neurology has utilized two other brands of neuro-diagnostic products in the past. Nichon Kohden (EEG machine) was a good product; however, the VISN mandated the switch to Natus because the Nichon Kohden machine could not be connected to the review station via the VA network, citing security concerns. The department also had a Cadwell EMG machine. The Cadwell was not a good product; it started to freeze during studies only two years after the purchase. The Natus product is compatible with our network and is a reliable product.

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

Searched GSA and WWW. Found three contracts who sold EEG machines. There are three main products: Natus, Cadwell and Nichon Kohden. See above.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

(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:

(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	5/19/17 DATE	_____ SERVICE LINE/SECTION
Dawn McHale NAME	Program Specialist TITLE	Neurology SERVICE LINE/SECTION
CMJC VAMC Philadelphia FACILITY		

(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.

_____ CONTRACTING OFFICER/DESIGNEE'S SIGNATURE	6/6/2017 DATE
Mark A. Ziegler, Branch Chief NAME AND TITLE	NCO4 FACILITY

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

_____ SIGNATURE	_____ DATE
_____ NAME	
NCO/PCO X Director of Contracting	

HIGHER LEVEL APPROVAL (Required *For orders over \$700,000*):

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

NAME

VHA Head of Contracting Activity (HCA)

DATE

d. **VA Deputy Senior Procurement Executive Approval (\$13.5 million not to exceed \$68 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

Name

Deputy Senior Procurement Executive (DSPE)

DATE

e. **VHA Senior Procurement Executive Approval (over \$68 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

Deputy Assistant Secretary

Office of Acquisition and Logistics

Senior Procurement Executive (SPE)

DATE