

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID:** VA256-17-AP-4714

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: ScriptpPro USA, Inc.

Manufacturer/Contractor POC & phone number: Mark Headrick/913-403-7453

Mfgr/Contractor Address: 5828 Reeds Road, Mission, KS 66202

Dealer/Rep address/phone number: 913-403-7453

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

**(1) AGENCY AND CONTRACTING ACTIVITY:** Department of Veterans Affairs  
Veterans HCS of the Ozarks  
1100 North College Avenue  
Fayetteville, AR 72703

**VISN:** 16

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**  
Request for Limited Source other than full and open competition for a Firm-Fixed Priced Delivery Order to purchase equipment necessary for the expansion of the Veterans Health Care System of the Ozarks' Pharmacy prescription workflow equipment to support relocation of CBOC from Mt. Vernon, MO to Springfield, MO

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**  
The Veterans Healthcare System of the Ozarks is requesting the purchase of the following equipment:

SP200 Robot with Collating Control Center (1)  
SP Datapoint – Workflow PC unit (4)

SP Printer – Workflow PC printer (4)  
Robotic Cell Multiplexor (14) – Upgrade unit to SP200 for expanded fill capacity  
Eyecon Visual Pill Counter (4) – Counting/double counting of prescriptions  
Interface controller for Eyecon (4)

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Limited Sources Justification Format >\$150K

SP Expanded Server Platform (1) – Server for expanded units

Equipment Relocation (1) from Mt. Vernon to Springfield (existing equipment)  
Installation of equipment (1)  
Addition of support cost for first 12 months (12)

(b) ESTIMATED DOLLAR VALUE: \$                     

(c) REQUIRED DELIVERY DATE:                     

**(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.

The required equipment must be capable of integrating into our existing workflow processing equipment to provide single point of access for patients and pharmacy employees for processing. The software in our current workflow system is proprietary and owned by ScriptPro. The ScriptPro equipment is propriety and can only be purchased through ScriptPro. The required equipment is on the ScriptPro's FSS NAC Contract V797P-4237B. The FSS Contract states the warranty on the equipment is void if the equipment or software has been installed or modified by anyone other than ScriptPro. In accordance with VHA PM 801.601-2 Paragraph 1.5.9.1 the requested commodities are available via a mandatory use VA NAC Contract V797P-4237B. A FSS waiver must be requested to purchase the mandatory items listed under FSC 65 and 66 in the open market. The Contracting Officer agrees that seeking a waiver is not in the best interest of the Government. Therefore, only one source is capable of providing the requested equipment.

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.)  
The requested equipment is proprietary to ScriptPro. ScriptPro is the manufacturer of the requested equipment.

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.  
This equipment will be required to integrate into our existing workflow processing equipment to provide single point of access for patients and pharmacy employees for processing. The software in our current workflow system is proprietary and owned by ScriptPro.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Limited Sources Justification Format >\$150K

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:**

This order represents the best value to the Government, since ScriptPro is the manufacturer of the Robotic Prescription Dispensing System. The Contracting Officer has reviewed the market for prescription dispensing systems and similar procurement history to find that procurements have been sole sources to ScriptPro USA, Inc. This history has provided the Contracting Officer with a basis to determine the price to be fair and reasonable. Also, the quote received from ScriptPro is in line with the IGCE. By placing an order against a schedule contract using the procedures in 8.405, the Contracting Officer has concluded that the order represents the best value to the Government and results in the lowest overall cost alternative to meet the Government's need considering price, special features, and administrative costs.

We request to "add-on" equipment to our existing system vs. purchase a separate stand-alone system. This equipment requires on-going support purchase as well. Expansion of our current system provides the best value for direct cost and support. Our existing system is also the only one currently offering this type of system that is approved to function on our VA Network and provide this level of service.

**(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 was conducted IAW FAR Part 10 with the recent ruling rendered by the Supreme Court of the United States. VetBiz was review to identify all possible SDVOSB/VOSB concerns capable of meeting the Government's need. Although sources were identified, due to the proprietary nature of the

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Limited Sources Justification Format >\$150K

equipment requested and the requirement for delivery of compatible equipment that will interface with the existing equipment, ScriptPro is the only source capable of the Government's minimal requirements. No other sources were identified on the FSS/GSA Contract holders mandatory listing other than ScriptPro for the requested items.

A research on FPDS indicated numerous delivery orders have been awarded to ScriptPro USA, Inc for ScriptPro Prescription Dispensing equipment by several VISN Contracting Offices. (See attached FPDS results)



**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

ScriptPro is currently the system utilized by VISN 16 Health Care Systems' Pharmacies.


**(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:**


It has been verified with the ScriptPro Sales Representative that they do not currently offer and do not plan to offer in the future the option for other product contractors to interface with their system.

**(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  
 \_\_\_\_\_  
NAME  
Veterans Healthcare System of the Ozarks  
FACILITY


8/19/17  
\_\_\_\_\_  
DATE

 \_\_\_\_\_  
TITLE

 \_\_\_\_\_  
SERVICE LINE/SECTION

**(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

8/31/17  
\_\_\_\_\_  
DATE

Chapter VI: Other Than Full and Open Competition (OFOC) SOP  
Attachment 2: Request for Limited Sources Justification Format >\$150K

[REDACTED] \_\_\_\_\_  
NAME AND TITLE FACILITY

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

\*\*\* One Level Above the Contracting Officer (\$150K to \$700K)

[REDACTED] \_\_\_\_\_  
SIGNATURE [REDACTED]

[REDACTED]