

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

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA256-17-AP-4774 and VA256-17-AP-4780

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: ScriptPro USA, Inc.

Manufacturer/Contractor POC & phone number: Mark Headrick/913-402-7453

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

Network Contracting Office

2495 Shreveport Highway

Pineville, LA 71360

VISN:

16

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

A Robotic Dispensing System with Collating Control Center Compact Robotic Prescription Dispensing System is being request to enhance workflow, safety, and efficiency of the Pharmacy Department at the Gulf Coast Veterans Healthcare System's JACC in Pensacola, Florida.

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

The Gulf Coast Veterans Healthcare System is requesting the purchase of an Automated Medication Dispensing System to include delivery, installation, and configuration of all required software, hardware, and licenses for installation of the medication dispensing system and server that has a mechanism for patients to begin filling process by self-scanning VA ID cards to check in to Pharmacy. The system will interface with VISTA/CPRS/HL7.

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(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.
ScriptPro is the manufacturer of the SP200/CCC Robotic Prescription Dispensing System that is being requested. The ScriptPro equipment is propriety and can only be purchased through ScriptPro on the mandatory 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.

☐ 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.

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☐ 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. It is also within the best interest of the Government to award to ScriptPro, since no other vendors are allowed to sell the Robotic Prescription Dispensing System on FSS/GSA schedule with a FSS waiver attained. 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

(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 equipment requested, ScriptPro is the only source capable of providing the Robotic Prescription Dispensing System required. Source Sought VA256-17-N-0518 and VA256-17-N-0512 were published to

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FBO and returned no responses. 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 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:

NA

(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.)*

		<u>9/12/17</u>
SIGNATURE		DATE
<u></u>	<u>Pharmacist</u>	<u>Pharmacy Service</u>
NAME	TITLE	SERVICE LINE/SECTION
<u>Gulf Coast Veterans Healthcare System</u>		
FACILITY		

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM, Volume 6, Chapter VI: OFOC SOP:

VHAPM Part 808.405-6 Limiting Sources
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a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

ARTUR E. BLADE
182236
CONTRACTING OFFICER'S SIGNATURE
9/13/17
DATE

ARTUR E. BLADE, Contracting Officer
NAME AND TITLE
NCO 16 Division II Supply Team
FACILITY

Renata Ott 659452
SIGNATURE
9/13/17
DATE

RENATA OTT
Branch Chief, DIV II - Supply Team
ANDREW L RAIBER
9/20/17
SIGNATURE
DATE

RAIBER
Division Chief
NCO-16, DIV II

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

ARON VILLALPANDO
9/20/2017
SIGNATURE
DATE

ARON VILLALPANDO
NCO 16 Director of Contracting

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

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

Linda S. Greaves
9/20/2017
DATE
Acting, SAO Director, Central Region (10NA2)
SAO Central Head of Contracting Activity (HCA)