

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID [REDACTED]

1. **Contracting Activity:** Department of Veterans Affairs, VISN 16, Gulf Coast Veterans Health Care System, 400 Veterans Avenue, Biloxi, MS 39531

2. **Description of Action:** This acquisition is conducted under the authority of the Multiple-Award Schedule Program (41 U.S.C. 251 and 40 U.S.C. 501).

This is a new requirement for services as the current FSS contract (V7976011B) has expired. The new contractor with Philips is covered under NAC contract #VA797H-17-D-0022.

Order against: ☒ FSS Contract Number: **VA797H-17-D-0022**

Name of Proposed Contractor: Philips Healthcare
Street Address: 22100 Bothell Everett Hwy
City, State, Zip: Bothell WA 98021-8431
Phone: Lisa Hallmark 800-323-6507 option 1

3. **Description of Supplies or Services:**

The estimated value of the proposed action is [REDACTED]

The contractor shall provide full preventative maintenance and repair services for Philips Medical Systems equipment covered by the Medical Imaging Maintenance Contract at the location of Biloxi, MS and Pensacola, FL.

Period of Performance: 1 October 2017 – 30 September 2018

See Attachment(Quotes)

(4) IDENTIFY THE AUTHORITY AND SUPPORTING RATIONALE (see 8.405-6(a)(1)(i)(A), (B), and (C) or 8.405-6(b)), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

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- ☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.
- ☒ Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized;

Philips Healthcare reserve all legal rights to proprietary equipment diagnostic software; OEM parts/supplies and factory trained certified technicians. The use of any other source other than Philips Healthcare would void the equipment and software warranty.

- ☐ In the interest of economy and efficiency, 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.
- ☐ Items peculiar to one manufacturer:
- ☐ 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.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

Philips is the only source available to service this equipment. If service is provided by another vendor this could void the warranty of their equipment and at the same time impose direct patent care to our veterans. Philips has a NAC contract which prices have already been deemed 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:

Market research was conducted with a RFI posting to fbo in which no other vendor responded with a vested interest in this respective requirement. Historically, the services have been provided by Philips Healthcare. Philips Healthcare is the OEM and has proprietary ownership of all hardware, software and firmware.

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(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION: Previous Contract Number VA256-14-F-4052 was awarded as a sole source procurement to Philips. Philips has several other contracts throughout the VA awarded as sole source for similar services. This market research further confirms that Philips is the sole provided for this procurement.

(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: The Contracting Officer will continue to survey the market conditions for any future changes.

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(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.

SIGNATURE

DATE

SERVICE LINE/SECTION

FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM Part 806.3 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

DATE

NAME AND TITLE

NCO16

FACILITY

b. Chief P&C: I certify the justification meets requirements for other than full and open competition.

SIGNATURE

DATE