

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID: VA258-18-AP-0290 & VA259-18-AP-0126**

- 1. Contracting Activity:** Department of Veterans Affairs, ***NCO 19 has a requirement for Grand Junction VA Medical Center (575-18-1-932-0029) & Oklahoma City VA Health Care System (635-18-1-5906-0331)***
- 2. Description of Action:** This acquisition is conducted under the authority of the Multiple-Award Schedule Program ([41 U.S.C. 252](#) and [40 U.S.C. 153](#)).

***The purchase of Bi-Level positive airway pressure (BiPAP) machine and continuous positive airway pressure (CPAP) machine from Prosthetic Inventory***

Order Against: FSS Contract Number: ***V797D-40104***  
Name of Proposed Contractor: ***Veterans Medical Supply***  
Street Address: ***3200 Tyrone Blvd. N. Suite: C***  
City, State, Zip: ***Saint Petersburg, FL 33710***  
Phone: ***727-517-4440***

Order Against: FSS Contract Number: ***V797P-2002D***  
Name of Proposed Contractor: ***Medical Place, Inc***  
Street Address: ***350 Industrial Park Blvd***  
City, State, Zip: ***Montgomery, AL 36117***  
Phone: ***334-241-0807***

Order Against: FSS Contract Number: ***V797P-4297B***  
Name of Proposed Contractor: ***First Nation Group***  
Street Address: ***24 Frank Lloyd Wright Drive***  
City, State, Zip: ***Ann Arbor, MI 48106***  
Phone: ***1-800-541-2071***

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

The estimated value of the proposed action is ***\$ 193,384***

***To purchase AirCurve 10 Vauto with HumidAir and ClimatelineAir (BiPAP) part#37212 200ea and AirSense 10 Autoset with HumidAir (CPAP) part 3720760 ea. Both items are manufactured by ResMed.***

**(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.**

- ☐ 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;
- ☐ 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: **AutoSet™ algorithm and Easy-Breathe waveform in its VAuto algorithm to treat obstructive sleep apnea patients who can benefit from greater pressure support.** (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:**

**By purchasing the recommended brand, it ensures that the equipment is compatible with existing equipment will not require the purchase of additional supply or equipment**

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

*There are three authorized VOSB distributors on schedule.*

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

N/A

**(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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
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.



Mindie Dixon  
Contracting Officer, Supply 1 East  
Network Contracting Office 19

10/23/2017

Date

**b. One Level Above the Contracting Officer (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.



Danny O. Freeman  
Deputy Director of Contracting  
Network Contracting Office 19

10/27/2017

Date