

VHAPM Part 808.405-6 Limiting Sources
Attachment 2: Request for Limited Sources Justification Format >\$150K
LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA246-18-AP-2666 / PR: 659-18-1-098-0002

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 06, Charlotte HCC and the Kernersville HCC.
- 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 a Spectralis OCT System for each facility listed above.

Order against: FSS Contract Number: V797P-4176B

Name of Proposed Contractor: L1 Enterprises, Inc.
Street Address: 340 West Patrick Street
City, State, Zip: Frederick, MD 21701
Phone: 301.514.2188

3. Description of Supplies or Services:

The estimated value of the proposed action is

The Spectralis Tracking OCT System is in addition to existing systems at the Salisbury VAMC. Continuity across the board for the Salisbury, Charlotte, and Kernersville location is paramount to patient safety. The same staff will use the systems at all facilities and familiarity with the machine, settings, functions and controls are critical. Standardization for maintenance, training, parts, and accessories is in the best interest from a cost standpoint.

(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; L1 Enterprises has an agreement in place with the manufacturer and is the only authorized distributor of Spectralis products for U.S. government accounts.
- 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:

Due to the same staff using the equipment at the three sites, it is imperative that all three facilities have the same equipment. This ensures that all staff are trained properly on the equipment’s settings, functions, controls, and maintenance protocols. Standardization for training, maintenance, parts, and accessories is in the best interest of the government from a cost standpoint.

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

There is only one vendor on schedule. A Sources Sought notice was posted to FBO from 1/30/2018 - 2/5/2018 to identify additional vendors. Three responses were received. One vendor, L1 Enterprises that is on schedule, responded that they could provide the required item. The other two vendors could not provide the exact items needed.

An Intent to Sole Source was then posted to FBO from 2/5/2018 - 2/9/2018. No communications were received in response to this posting.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

No facts other than those stated above.

(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:

For future acquisitions, to overcome any barriers to competition, market research will be used as a guide to determine if the market for competition exists and identify comparable products that may fit the facility’s needs. Using this information, the appropriate acquisition strategy will be determined and followed.

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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. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Stephanie Stephens BSN RN CNOR February 5, 2018
SIGNATURE DATE
Stephanie Stephens BSN RN CNOR OR Coordinator Surgery
NAME TITLE SERVICE LINE/SECTION
Salisbury VA Health Care System
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.

[Signature] 2/12/18
CONTRACTING OFFICER/DESIGNEE'S SIGNATURE DATE
Jamie Sullivan, Contracting Officer NCO 6
FACILITY

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.

[Signature] 2-12-18
SIGNATURE DATE
Jay James
NCO6, Supply 4 Branch Chief