

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID: VA242-18-AP-3591**

**1. Contracting Activity and Agency:**

Department of Veterans Affairs  
Network Contracting Office 2  
76 Veterans Avenue  
Bath, NY 14810

Department of Veterans Affairs  
VA Medical Center  
800 Irving Avenue  
Syracuse, NY 13210

Purchase Request (2237): 528-18-2-7245-0002

**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).

The Department of Veterans Affairs, Veterans Integrated System Network (VISN) 2, and the VA Medical Center in Syracuse, NY anticipate a fixed-price commodity procurement of three (3) new Getinge model 633HC vacuum/gravity, microcomputer controlled steam sterilizers for the Sterilization Processing Section.

Order against: ☒ FSS Contract Number: V797P-4452B

Name of Proposed Contractor: Getinge USA, Inc.  
Street Address: 1777 E. Henrietta Road  
City, State, Zip: Rochester, NY 14623  
Phone: 585-272-5157

Name of Proposed Contractor: TrillaMed, LLC\*  
Street Address: 30100 Telegraph Road, Suite 366  
City, State, Zip: Bingham Farms, MI 48025  
Phone: 248-433-0592

\* SDVOSB – Authorized distributor for Getinge, USA, Inc.

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

The estimated value of the proposed action is \$198,377.00

The Buffalo VA Medical center is requesting to purchase three (3) new Getinge model 633HC vacuum/gravity, microcomputer controlled steam sterilizers. These steam sterilizers will replace existing Getinge steam sterilizers that have reached their "end-of-life" and therefore, not cost effective to continue to service and repair. The Getinge steam sterilizers will be used to steam sterilize compatible reusable medical instruments using up to twenty-three different steam cycles with a variety of steam parameters; gravity and or pre-vacuum. All sterilizers used must be able to have identical number of and the capability of having twenty-three cycles to mirror all of the current sterilizers. This ensures the same cycle numbers fully correspond with each other both for safety reasons and having the ability to continue sterilizing equipment should any sterilizer go off-line. The sterilizer must also have the capability to have remotely located controls. The new sterilizer will use currently owned load carts and racks that are designed for the older models and are 100% compatible. This steam sterilizer will be subjected to having reversed osmosis produced steam and the Getinge steam sterilizer is fully compatible with our current equipment.

**(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. (CHECK ALL THAT APPLY AND COMPLETE)**

☐ 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; *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.*

☐ 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.

The Getinge USA companies steam sterilizer is the only twenty-three cycle steam sterilizer that is compatible with all of the Syracuse VA sterilization equipment. Currently, there two Getinge 7 models in use at the Syracuse facility; these three (3) represent a logical upgrade to the two currently in use as well as one more to meet increased demand of sterilization of reusable medical equipment (RME). Getinge USA is the only manufacturer that can provide the identical controls as the current models presently in use. This ensures standardization for safe operation while providing patients with optimal services. Other manufacturers' sterilizers do not match in controls, they do not have twenty - three cycles available, and they are not compatible with the current carts and racks. A Getinge steam sterilizer cannot use a Steris rack or vice versa. Sterilizers are validated as required by the FDA based on each manufacturer using their own cart and rack. The Syracuse SPS already has the necessary carts and racks and another manufacturer would have to include the carts and racks as part of their quote. This would mean they would have to spend additional money to purchase equipment that they do not need and cannot afford. There is also the issue of potentially putting the wrong rack into the incorrect sterilizer, thus resulting in the sterilizer not operating per the manufacturer's specifications. They are required to ensure standardization in both the reprocessing equipment used as well as the instrumentation. This ensures high quality care is being provided to help in eliminating any potential for issues in having two or more different products and devices being used. Standardization also allows for the elimination and added expense of having to train staff on new equipment and procedures. Other VA hospitals successfully using the Getinge steam sterilizers include the Buffalo and Albany VA Medical Centers.

**(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:**

As described in paragraph 4 above, Getinge USA, Inc. is the only manufacturer that can provide a completely compatible upgrade of the sterilizers currently in use at the Syracuse facility. In addition, the equipment required is available via Getinge USA, Inc. Federal Supply Schedule contract. In accordance with FAR 8.404(d), supplies on the schedule are listed at fixed prices and GSA has already determined the prices of supplies under schedule contracts to be fair and reasonable. Therefore, ordering activities are not required to make a determination of fair and reasonable pricing, and by placing an order against a schedule contract, the ordering activity has concluded that the order represents the best value and results in the lowest overall cost alternative to meet the Government's needs.

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

A comprehensive search was conducted on Veterans Information Pages (VIP) at [www.vetbiz.gov](http://www.vetbiz.gov) to make a determination as to the availability of Veteran Owned Small Businesses and/or Service Disabled Veteran Owned Small Businesses (VOSB/SDVOSB). A search of the key work "Getinge" resulted in 3 vendors listed. However, upon further examination, it was concluded that the 3 vendors listed are authorized to provide maintenance and service, and are not authorized distributors of their products.

However, contracting officer (CO) knowledge and experience concludes that there is an authorized SDVOSB distributor for Getinge USA, Inc. sterilization equipment. This vendor, TrillaMed LLC, was contacted and the Director of National Account/Government Contracts provided CO with a letter from Getinge USA, Inc. Vice President of Operations, which designates TrillaMed as an authorized distributor for sales to the US government, when advantageous to the government buyer.

**(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:**

In this particular procurement action, it is the CO's determination that there is a valid and verifiable justification for limiting the sources for this purchase to Getinge USA, Inc. or its authorized distributor (pending determination of fair and reasonable pricing.)

**(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.)*

ANNETTE A. HARTMAN, RN  
CHIEF, SPS  
VAMC - SYRACUSE

DATE \_\_\_\_\_

**(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.

EDWARD G. LYKE  
CONTRACTING OFFICER  
NETWORK CONTRACTING OFFICE 2

2/16/2018

**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.

CHRISTOPHER A. WARD  
SUPERVISORY CONTRACT SPECIALIST  
NETWORK CONTRACTING OFFICE 2

DATE \_\_\_\_\_