

**DEPARTMENT OF VETERANS AFFAIRS**

**FAR 8 – Justification for Limiting Sources (LSJ)  
For  
Limiting Sources**

**Acquisition Plan Action ID:** [REDACTED]

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 06, Hampton VA Medical Center, 100 Emancipation Drive, Hampton, VA 23667. Purchase request number [REDACTED].
- 2. Description of Action:** This is a Brand Name Only requirement for the acquisition of Quark RMR Indirect Calorimetry for Richmond VAMC.

Order against: ☒ FSS Contract Number: GS-24F-0067N

Name of Proposed Contractor: COSMED USA INC  
Street Address: 2211 N ELSTON RD STE 305  
City, State, Zip: CHICAGO IL 60614-1020  
Phone: 773-645-8113

- 3. Description of Supplies or Services:** This is a brand name request for a Quark RMR Indirect Calorimetry and its accessory parts. The equipment will be housed in the Endoscopy Suite of the facility. The estimated value of the proposed action is [REDACTED].

**4. Authority:**

**ORDER AGAINST FSS:** Authority of the Multiple Award Schedule Program, Title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251, et seq.); Title 40 USC 501, Services for Executive Agencies; and Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and implemented by [FAR 8.405-6](#). Mark the applicable exception:

☐ **An urgent and compelling need exists**, and following the procedures would result in unacceptable delays([FAR 8.405-6\(a\)\(1\)\(i\)\(A\)](#));

☒ **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; ([FAR 8.405-6\(a\)\(1\)\(i\)\(B\)](#));

☐ In the interest of economy and efficiency, the new work is **a logical follow-on** to an original Federal Supply Schedule order and the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. **The original order**

was not previously issued under sole-source or limited-sources procedures ([FAR 8.405-6\(a\)\(1\)\(i\)\(C\)](#)); or

☒ **Items peculiar to one manufacturer.** An item peculiar to one manufacturer can be a particular brand name, product, or a feature of a product, peculiar to one manufacturer). A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer ([FAR 8.405-6\(b\)](#)).

5. **Rational/explanation to support cited authority:** This device will be used to accurately assess the resting energy expenditure and stratifying patients into hypo- and hyper-metabolic states. This will also provide information on substrate utilization (fat vs. carbohydrates vs. protein) to allow for development of a personalized nutrition management plan allowing veterans to more frequently achieve weight loss compared to the current failures with blanket nutrition advice/intervention. The equipment will also be used by the ALD and liver transplantation team. This particular device has been peer reviewed, proven success over other options, advice and intervention currently being used and failing to yield satisfactory results.
6. Note that this determination satisfies the requirements of [FAR 8.405-6](#). The requirement to prepare a written justification [IAW FAR 6.303](#) does not apply to Federal Supply Schedules.

