

DEPARTMENT OF VETERANS AFFAIRS

**FAR 8 – Justification for Limiting Sources (LSJ)
For
Limiting Sources (<\$150K)**

Acquisition Plan Action ID: _562-18-2-700-0030

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 4, Erie VA Medical Center, 562-18-2-700-0030
- 2. Description of Action:** New requirement.

Order against: **X** FSS Contract Number: V797P-4297B

Name of Proposed Contractor: First Nation Group,LLC
Street Address: 4566 Highway 20 East, Suite #208
City, State, Zip: Niceville,FL 32578-8839
Phone: 855-221-1490

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ 37,904.31

Erie VAMC has a brand name requirement for mechanical ventilation for Veterans in the facility. Request 3 EA Philips Respironics Trilogy 202 Ventilator Systems. Philips Respironics is the only manufacturer to provide AVAPS (Average-Volume-Assured Pressure Support) technology.

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

X 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:

Philips Respironics is the only manufacturer to provide AVAPS (Average-Volume-Assured Pressure Support) technology. This is a proprietary technology to automatically adjust volumes with pressure support. The request is necessary to ensure the expendable supplies currently being utilized in the facility maintain compatibility with Philips Respironics Trilogy System.

6. BRAND NAME ONLY This buy is estimated to exceed \$25,000 and this documentation will be posted along with the RFQ on e-Buy, as required by [FAR 8.405-1\(e\)](#).
7. 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.

Signature: _____

Name: AMANDA SAUNDERS

Title: Contracting Officer

Facility: NCO4

Date:

Signature: _____

Name:

Title: Branch Chief, Hybrid 2

Facility: NCO4

Date: