

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA246-18-AP-11116

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 06, *Hampton VA Medical Center*, 100 Emancipation Drive, Hampton, VA 23667. Purchase request No: 565-18-3-090-0142.
- 2. Description of Action:** This is a brand name only requirement for for the procurement of ceiling lift with lateral motor for Fayetteville VAMC.

Order against: ☒ FSS # V797P4313B

Name of Proposed Contractor: T F Herceg Inc dba Surehands Lift & Care Sysstems
Street Address: 982 County route 1
City, State, Zip: Pine Island NY 10969-1205
Phone: (800) 724-5305

3. Description of Supplies or Services:

The estimated value of the proposed action is \$29,685.85

The Fayetteville VAMC is in need of two ceiling lifts with lateral motors for use with SureHands sling and body support accessories. The lifts are used for patients who have lost the ability to transfer themselves manually but still have a limited range of motion with adequate muscle tone. The system can lift the patient from the ground and has a lifting capacity of 440 lbs. The motor, which operates on rechargeable batteries, is quiet with a soft stop and start motion. In addition, the lift system has a ceiling motor that can also be used as a pool lift. The lift is ideal for intensive use and in pools where floor sockets cannot be installed. The lift has a magnetic contacts feature that can be placed anywhere along the track to ensure that the motor will stop at certain predetermined places, e.g. middle of the toilet, on the charging pins, etc.

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](#).

- ☐ **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:

The Fayetteville VAMC is in need of two ceiling lifts with lateral motors for use with SureHands sling and body support accessories. The parts being acquired must match and work with the existing system currently being used at the facility. Acquiring matching items will allow for direct connectivity and conformity to an already established system. The procurement of any other modules would undermine the previous standardization effort executed to comply with the SOP established resulting in additional costs not expected to be recovered through competition. Additionally, acquiring other than the requested items would result in the development, approval and implementation of a new SOP which would cause further delays in fulfilling the agency's requirement. Market research further shows that T.F. Herceg Inc dba Surehands Lift and Care (SB; 081666331) is the only authorized distributor for products manufactured by Handi-Move International. Handi -Move is the manufacturer of the lifts. SureHands representatives sent a copy of their authorization letter stating that they are the only authorized distributor for their products.

- 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.

Prepared by:

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Approved by:

Jerry L Mann 7/12/18
Jerry L. Mann
Contracting Officer