

**LIMITED SOURCES JUSTIFICATION**

**ORDER >SAT**

**FAR PART 8.405-6**

**Acquisition Plan Action ID: 36C25618AP2033**

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO) 16, G. V. (Sonny) Montgomery VA Medical Center, 1500 E. Woodrow Wilson Drive, Jackson, MS 39216. 2237 #586-19-1-033-0008.
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 requirement is for preventive maintenance services for diagnostic imaging equipment located at the Jackson, MS, VAMC. This is a new requirement to be awarded against the below VA NAC contract number.

Order against: ☒ FSS Contract Number: VA NAC #VA797H-17-D-0024

Name of Proposed Contractor: GE Healthcare

Street Address: 3000 N. Grandview Blvd.

City, State, Zip: Waukesha, WI 53188

Phone: 504-810-6207

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

The estimated value of the proposed action is [REDACTED]

A contract is needed to provide full maintenance and repair services to include preventive maintenance inspections of one GE Optima XR220 AMX Digital Mobile X-ray equipment, three GE Nuclear Medicine Discovery NM632 gamma cameras, and two GE CT Lightspeed RT16 devices, including one GE Flash pad Digital Wireless Detector, currently being used for direct patient care on a daily basis. These items are proprietary to GE Healthcare.

**(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.**

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- ☐ 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: GE Healthcare has patents and other intellectual property rights to this equipment. They sell these services directly within the United States and do not have authorized dealers or distributors. GE has proprietary rights to the equipment and software; OEM parts/supplies, and as well as, providing factory trained certified technicians to provide these services.
- ☐ 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:**

The price is considered fair and reasonable based on the requirements stated in FAR 8.404(d). The VA NAC has determined the prices for fixed-price services, and rates for services offered at hourly rates, under schedule contracts to be fair and reasonable. By placing an order against the VA NAC contract, it is determined to be the best value in order to meet the Government's needs. The Contracting Officer, after review, will ensure the price paid is fair and reasonable.

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

Market research was conducted via the NAC, FPDS-NG, VetBiz Registry, and SBA Dynamic Small Business System. The price is considered fair and reasonable based on the requirements stated in FAR 8.404(d). The VA NAC has determined the prices for fixed-price services, and rates for



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services offered at hourly rates, under schedule contracts to be fair and reasonable. By placing an order against the VA NAC contract, it is determined to be the best value in order to meet the Government's needs. The Contracting Officer, after review, will ensure the price paid is fair and reasonable.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:** GE Healthcare does not have any SDVOSB/VOSB distributors. They have proprietary rights to the equipment as they are the original equipment manufacturer (OEM). These services have been provided to the G.V. (Sonny) Montgomery Healthcare System since May 2010 under a VA NAC contract using limited source justifications to Ge Healthcare.

**(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:** Full and open competition may be sought when the hardware and software for the imaging equipment is no longer considered proprietary. It would not be cost effective to replace the GE Healthcare imaging equipment to a brand which does not have proprietary rights.

**(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.)*

Stratton H.

Digitally signed by Stratton H.

Brown 718865

Date: 2018.08.08 10:18:44

-05'00'

Brown 718865

08/08/18

Stratton Brown

Date

Biomedical Engineer

Station 586/Jackson, MS

**(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.

Danette R.

Digitally signed by

Danette R. Impey 224540

Impey 224540

Date: 2018.08.08

10:21:31 -05'00'

08/08/2018

Danette R. Impey

DATE

Contracting Officer

NCO16/Station 520, Biloxi, MS

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**b. One Level Above the Contracting Officer (Required over the SAT but not exceeding \$700K):**  
I certify the justification meets requirements for other than full and open competition.

Jennifer Adams  
400989

Digitally signed by Jennifer  
Adams 400989  
Date: 2018.08.08 10:50:15  
-05'00'

08/08/2018

Windell Lance  
Chief, Div. I, Service Team C  
Network Contracting Office (NCO) 16

DATE

**c. Director of Contracting Officer/Designee (Required over the SAT but not exceeding \$700K):**  
I certify the justification meets requirements for other than full and open competition.

AARON VILLALPANDO  
178014

Digitally signed by AARON  
VILLALPANDO 178014  
Date: 2018.08.13 10:19:33 -05'00'

Aaron Villalpando  
Director of Contracting  
Network Contracting Office (NCO) 16

DATE

**HIGHER LEVEL APPROVAL (Required for orders over \$700,000):**

**d. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$68 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

TERRY L.  
SPITZMILLER 394683

Digitally signed by TERRY L. SPITZMILLER 394683  
Date: 2018.09.04 13:40:39 -04'00'

Terry L. Spitzmiller  
VHA Head of Contracting Activity (HCA)

DATE