

## LIMITED SOURCES JUSTIFICATION

ORDER >SAT

FAR PART 8.405-6

Acquisition Plan Action ID: 36C248-18-AP-0824

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 08, James A. Haley VA Medical Center. 2237:673-19-1-048-0002
- 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](#)). This is a request for other than full and open competition for the procurement of a full-service maintenance contract on Scriptpro automated pharmacy systems located at the James A. Haley Veterans Hospital and clinics. This action will be awarded as a new requirement to replace an expiring order placed under V797P-4237B/VA248-13-F-6424.

Order against: ☒ FSS Contract Number: V797P-4237B

Name of Proposed Contractor: Scriptpro

Street Address: 5828 Reeds Rd

City, State, Zip: Shawnee Mission, KS 66202

Phone: 913-403-5529

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

The estimated value of the proposed action is \$ 375,000.00

This is a request for a full-service maintenance agreement to include both preventive, and corrective maintenance (PM and Repair) services on Scriptpro automated pharmacy systems located at the James A. Haley Veterans Hospital inpatient pharmacy, outpatient pharmacy and New Port Richey outpatient clinic. The service agreement will ensure that critical equipment is operating properly, in accordance with manufacturers requirements and operating efficiently. This equipment is used to process patient prescriptions to assure patients receive proper medications. Response time and turnaround time are important for this equipment since the equipment downtime would have an adverse impact on patient care and patient procedures. In-house staff does not have the training, specialized software, test equipment and parts

required to perform this critical level of service. Period of Performance is 10/1/18 – 9/30/19 with four 12-month option years.

**(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.**

☐ 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;

The existing Scriptpro automated pharmacy system in use by James A. Haley Veterans Hospital and New Port Richey clinic use Scriptpro proprietary software/equipment and require OEM diagnostic tools/equipment as well as parts. Third party companies do not have access to OEM software and parts necessary to provide the required maintenance of the Scriptpro automated pharmacy system.

☐ 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:**

These systems have been under FSS maintenance contracts since warranty expiration and the pricing is consistent with expiring contract. In addition, pricing of GSA schedules pricing has already been negotiated and considered 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:**

A search on VIP using NAICS 811219 and keyword Scriptpro produced zero results. In addition, documentation has been received from the manufacturer indicating the proprietary nature of Scriptpro equipment/maintenance and the proprietary nature of this requirement.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**


The Scritpro equipment has been in use since it was originally installed (12/3/2005). The current asset value according to VISTA records is \$1,439,030.33. With upgrades to software and hardware this equipment is anticipated to be in place for the foreseeable future.

**(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:**

This agency is committed to the competitive spirit of all procurement regulations. It is our policy to seek full and open competition to the largest extent possible while fulfilling the necessary requirements. This justification will be posted on FBO to notify industry and allow feedback.

**(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.)*

 _____ SIGNATURE	<u>08/22/2018</u> _____ DATE
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 _____ NAME	<u>Biomed Eng Tech/COR</u> _____ TITLE	<u>Facilities Man/ Biomed Eng</u> _____ SERVICE LINE/SECTION
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J. A Haley VAMC  
\_\_\_\_\_  
FACILITY

**(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.

 _____ CONTRACTING OFFICER/DESIGNEE'S SIGNATURE	 _____ DATE
<u>NCO 8/Tampa , Contracting</u> _____ NAME AND TITLE	<u>NCO 8/Tampa , Contracting</u> _____ FACILITY

**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.

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\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Kenneth R. Caryer  
NCO 8/Tampa Services Product Line Supervisor