

**LIMITED SOURCES JUSTIFICATION**

**ORDER >SAT**

**FAR PART 8.405-6**

**Acquisition Plan Action ID:** \_\_\_\_\_ **36C242-18-AP-3781;VA242-18-AP-6221; 36C242-18-AP-3964; 36C242-18-AP-4208** \_\_\_\_\_

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 2, Albany VA Medical Center 113 Holland Ave, Albany, NY 12208; Batavia VA Medical Center 222 Richmond Ave, Batavia, NY 14020; Bath 76 Veterans Ave, Bath, NY 14810; Buffalo VA Medical Center 3495 Bailey Avenue Buffalo NY 14215; Canandaigua VA Medical Center 400 Fort Hill Ave, Canandaigua, NY 14424; Syracuse VA Medical Center 800 Irving Ave, Syracuse, NY 13210  
2237# 528-19-1-4803-0002, 528-19-1-5803-0003, 528-19-1-6803-0009, 528-19-1-7803-0015, # 528-19-1-8803-0001

**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 service maintenance agreement for the CareFusion Pyxis inventory of Upstate New York VA Medical Facilities. The proposed FSS task order shall be provided by CareFusion Solutions, LLC of 3759 Torrey View Court San Diego, CA 921303 from October 1, 2018 through September 30, 2019 for a consideration of

- 2. Order against:**  FSS Contract Number: \_\_\_\_\_36F79718D0454\_\_\_\_\_
- Name of Proposed Contractor: Carefusion Solutions LLC
- Street Address: 3759 Torrey View Court
- City, State, Zip: San Diego, CA 921303
- Phone: 1-801-397-7204

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

The estimated value of the proposed action is

The basic support and maintenance plan consists of the following:

1. Technical support center access 24 hours\365 days.
2. On-site Field service within 24 hours of initial call.
3. Adjustment and replacement of non-consumable parts.
4. Maintenance and replacement parts on an exchange basis.
5. Replacement cubie pockets.
6. On-site preventative maintenance once a year.
7. Software updates.

**(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;

As a result of patents and copyrights associated with the CareFusion Pyxis product line, only the Original Equipment Manufacturer, CareFusion Solutions, LLC has the ability to provide all the required services for this procurement.

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:** Price reasonableness shall be determined through comparing the received quotes to the previous procurement of this requirement (36C24218P0037, 10/01/2017-09/30/2018, 528C80118,528C82063,528C85054,528C84105,528C83111). The total dollar value of all five quotes received is , which is an increase of 4% over the total dollar value of the previous procurement. As a result, the pricing has been determined to be 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 VetBiz using NAICs code 811219 and keyword "Carefusion" did not identify and potential SDVOSB or VOSB vendors that could possible meet the requirements of this procurement.

A search on GSA elibrary using keyword "CareFusion" has identified that CareFusion Solutions, LLC does have a FSS contract (36F79718D0454). A search on CCST using keywords "Service Agreement CareFusion Pyxis" did not identify and additional FSS contracts that contain line items that can meet the requirements of this procurement.

A search on DSBS using NAICs code 811219 and keyword "CareFusion Solutions, LLC" did not identify any SDVOSB or VOSB vendor that could possibly meet the requirements of this procurement. Sources sought notices 36C24218Q9679 and RFQ1305590 were posted on FBO and GSA eBUY respectively from 07/13/2018 through 08/01/2018 and did not receive any responses other than from CareFusion Solutions, LLC.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:** None

**(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:** None, the presence of patents and copyrights are the main barriers to competition.

**(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.)*

Lisa M. Rummings  
326856

Digitally signed by Lisa M.  
Rummings 326856  
Date: 2018.08.30 11:16:59 -04'00'

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
SERVICE LINE/SECTION

\_\_\_\_\_  
FACILITY

**(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM Part 806.3 OFOC SOP: 1](#)**

**a. CONTRACTING OFFICER'S CERTIFICATION (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

MICHAEL A. SPIVACK  
336645  
336645  
Digitally signed by  
MICHAEL A. SPIVACK  
336645  
Date: 2018.08.31  
14:16:43 -04'00'

\_\_\_\_\_  
CONTRACTING OFFICER SIGNATURE

\_\_\_\_\_  
DATE

Michael Spivack  
\_\_\_\_\_  
NAME AND TITLE

NCO2, Service Team 1  
\_\_\_\_\_  
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.

Cheryl M  
Brimmer 113171  
Digitally signed by Cheryl M  
Brimmer 113171  
Date: 2018.08.31 22:09:13  
-04'00'

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

Cheryl Brimmer, NCO2 Service Team 1 Branch Chief  
\_\_\_\_\_  
NAME  
NCO/PCO XX Duty Title