

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 36C246-19-AP-4429

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 06, Durham VA Medical Center
NCO 06/RPO East PR# 558-19-3-122-0277.
- 2. Description of Action:** NewRequirement

Order against: ☒ FSS Contract Number: V797P-6077B

Name of Proposed Contractor: Varian Medical Systems Inc.
Street Address: 660 N McCarthy Blvd.
City, State, Zip: Milpitas, CA 95035-5122
Phone: (678) 255-3813

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ 118,361.00

Procurement of 1 EA Eclipse Calculation Workstation, Software, and standard training. Product is proprietary technology of Varian Medical Systems, Inc.

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

☒ **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:** Eclipse products and software are proprietary technology to Varian Medical Systems. The Varian Eclipse desktop is a specific treatment planning system that runs to our Varian linear accelerators used to treat cancer patients with radiation therapy. We currently already use the Varian Eclipse system and this desktop will allow another user to plan radiation treatments that will be used only by the Varian linear accelerators that deliver the beam. Changing systems now would not serve in the best interest of the Government. As it would cost the Government more to change out the system and to retrain staff on new equipment.
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.

Contract Specialist

Branch Chief - Supervisor