

**LIMITED SOURCES JUSTIFICATION
ORDER > SAT
FAR PART 8.405-6**

ACQUISITION PLAN ACTION ID: 36C25219AP0247

1. CONTRACTING ACTIVITY:

Department of Veterans Affairs
Great Lakes Acquisition Center, NCO-12
115 South 84th Street, Suite 101
Milwaukee, WI 53214-1476

Clement J. Zablocki VAMC
5000 W. National Avenue
Milwaukee, WI 53295-1000

2237: 695-19-1-969-0013

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](#)).

The Clement J. Zablocki VAMC has a need for a new Blanket Purchase Agreement (BPA) for PYXIS brand name only Pharmacy Automated Dispensing Cabinets (ADC's), manufactured by BECTON, DICKINSON and COMPANY (BD). The ADC's will be utilized throughout the facility and Community Based Outpatient Clinics (CBOC's), replacing ADC's that are at end of life. The Government is pursuing purchasing the required ADC's utilizing a single award Blanket Purchase Agreement (BPA) vehicle for a base period of 1-year, plus four 1-year option periods.

BPA against: ☒ FSS Contract Number: 36F79718D0454

Name of Proposed Contractor: BECTON, DICKINSON and COMPANY (BD)

Street Address: 3750 Torrey View Court

City, State, Zip: San Diego, CA 92310

Phone: 858-617-4824

3. DESCRIPTION OF SUPPLIES OR SERVICES:

BPA for PYXIS brand name only Pharmacy Automated Dispensing Cabinets, manufactured by BECTON, DICKINSON and COMPANY (BD) to meet the needs of the Clement J. Zablocki VAMC patients.

Base Period: \$1,784,797.00

Option Year 1: \$379,293.00

Option Year 2: \$379,293.00

Option Year 3: \$379,293.00

Option Year 4: \$379,293.00

Estimated Total Cost: \$3,301,969.00

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.

- ☒ 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.
- ☒ Items peculiar to one manufacturer:
 - ☒ 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.

The Clement J. Zablocki VAMC currently utilizes the Pyxis Medstation 4000 system and Pyxis dispensing cabinets which are compatible with the 4000 system. This proposed BPA is for replacement cabinets only. The server and all software will continue to operate on the MedStation 4000 platform. In addition to continuing to use the MedStation 4000 platform the current CII safe, single and double auxiliary towers will be maintained and will continue to be used as well. This BPA is for replacement cabinets only, and these need to be compatible with the Pyxis MedStation 4000 platform and auxiliary towers currently in use. Only Pyxis cabinets are fully compatible with the Pyxis MedStation 4000 platform.

If another manufacturer or brand of cabinets were to be used all cabinets, servers, and platform items would have to be replaced at the same time as the facility is unable to run two different dispensing systems at once. Running two different systems isn't feasible because you'd have medication data in two different places and tracking/accuracy, especially for controlled substances, would be greatly affected. This would also entail twice as much training. And the risk of human error, because of the use of two different systems in a fast-paced nursing environment, would be much higher and could easily negatively impact patient care and safety (e.g. patient gets wrong drugs, etc.). Running two different systems would also increase risk for diversion. Since this system is used for storage and tracking of controlled substances having all data in one repository makes it easier to track patterns for potential diversion. Running two systems will make this tracking much more difficult. The life cycle of the existing equipment is 10-years, which most of the stations are at the end of the life cycle. The estimated cost for replacing the entire system, including some expansion is \$4,845,864.00. This is cost prohibitive and not in the best interest of the Government. Funding to replace the entire system currently is not available.

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:

This BPA will be established against an existing FSS contract with BECTON, DICKINSON and COMPANY (BD) (36F79718D0454) using list or discounted pricing/rates. In accordance with FAR 8.404(d), GSA has already determined the prices under schedule contracts to be fair and reasonable.

For the reasons identified above, the CO determines that establishing a sole source BPA for this requirement represents the best value to the government.

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

VIP search was conducted using the search criteria of NAICS Code: 339112, the search resulted in 310 matches. A second search was conducted using the search criteria of NAICS Code: 339112 and the Keyword: BD, the search resulted in one match:

- MEDICAL PLACE, INC. (11-265-1336) – SDVOSB (verified in VIP).

Ability One website search was conducted; Ability One does not provide the requirement.

FSS search conducted, resulting in one FSS contract holder that can provide the requirement:

- BECTON, DICKINSON and COMPANY (BD) (80-139-7204) – 36F79718D0454 – Other Than Small Business.

Sources Sought was published to FBO on May 08, 2019, with responses due by May 14, 2019. The following vendors responded:

- BECTON, DICKINSON and COMPANY (BD) – 80-139-7204 – Other Than Small Business - Manufacturer.

- FOUR POINTS TECHNOLOGY, LLC – 08-989-6737 – SDVOSB – Authorized distributor for BD.

- OMNICELL, INC. – 80-541-2665 – Other Than Small Business – Manufacturer, not compatible with current platform at facility.

Based on the information provided above, it is determined this procurement will be fulfilled by sole sourcing a BPA with BECTON, DICKINSON and COMPANY (BD), i/a/w: FAR 8.405-6.

7. ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

Non-Manufacturer Rule (NMR): Definition - for small business set-asides, other than for construction or services, any concern proposing to furnish a product that it did not itself manufacture, must furnish the product of a small business manufacturer unless the SBA has granted a waiver. If the IGCE is less than \$250,000.00 the NMR does not apply, and a set aside shall be sought. If the IGCE is equal to or greater than \$250,000.00 the NMR applies.

The NMR does apply to this procurement and there is no SBA class waiver, therefore a set aside will cannot be pursued.

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:

Prior to the end of the life cycle of the existing equipment, the CO will research other contractors for replacing the entire system.

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.

Kimberly R Bell 197861
Digitally signed by Kimberly R Bell
197861
Date: 2019.07.18 08:12:29 -05'00'

Kimberly Bell
Clement J. Zablocki VAMC
Associate Chief of Pharmacy Operations

10. APPROVALS IN ACCORDANCE WITH THE VHAPM PART 806.3 OFOC SOP:

a. CONTRACTING OFFICER'S CERTIFICATION:

I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Thomas H

Chesak 676576

Digitally signed by Thomas H
Chesak 676576
Date: 2019.07.18 08:15:35
-05'00'

Thomas H. Chesak

Contracting Officer-NCO-12

b. ONE LEVEL ABOVE THE CONTRACTING OFFICER:

I certify the justification meets requirements for other than full and open competition.

Daniel R. Rasmussen

457897

Digitally signed by Daniel R.

Rasmussen 457897

Date: 2019.07.18 08:30:20 -05'00'

Daniel Rasmussen

Equipment Team Branch Chief NCO-12

HIGHER LEVEL APPROVAL:

c. DIRECTOR OF CONTRACTING REVIEW AND APPROVAL:

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.

Paul M. Lauro

1463508

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1463508
Date: 2019.07.18 11:57:19 -05'00'

18 Jul 2018

Paul M. Lauro

Director of Contracting NCO-12

d. VHA RPO HCA REVIEW AND APPROVAL:

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.

Randy L. Hays

534204

Digitally signed by Randy L. Hays
534204
Date: 2019.07.18 11:47:16 -07'00'

Randy L. Hays

Acting Executive Director

VHA Regional Procurement Office Central