

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 36C256-19-AP-3509

- 1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 16, 2002 Holcombe Boulevard (90C), Houston, TX 77030. Requiring activity: Department of Veterans Affairs, VISN 16, Michael E. DeBakey, Veterans Affairs Medical Center, 2002 Holcombe, Blvd., Houston, Texas, 77030, Eye Care Line, Bldg. 100, RM 1C300.
- 2. Description of Action:** This is a new requirement for the Ellex Integre Pro Duet Green Photocoagulator Laser system (a retinal photocoagulation surgical laser). A retinal photocoagulation surgical laser is a minimally invasive device to perform a procedure used to seal or destroy leaking blood vessels in the retina that can lead to serious retinal conditions such as diabetic retinopathy and macular edema. This procedure can also seal retinal tears and destroy abnormal tissue found in the back of the eye.

Order against: FSS Contract Number: 36F79719D0193

Name of Proposed Contractor: Ellex, Inc.
Street Address: 7138 Shady Oak Road
City, State, Zip: Minneapolis, MN 55344
Phone: 1-817-658-2905(Attn: Mathew Shaffer)

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ 43,270.00

The Ellex Integre Pro Duet Green Photocoagulator Laser System is a dual-mode laser cavity that delivers uniform energy distribution across the full spot diameter, eliminating hotspots and achieving optimal, homogenous burns. This proprietary laser enables the optometrist to achieve consistent, predictable treatment outcomes across a broad range of pathologies. The Integre Pro Duet Green Photocoagulator Laser system replaces the current Ellex Photocoagulator Laser system, as the Eye Clinic intends on maintaining superior healthcare through standardization and reduces training to healthcare providers.

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:

Acquiring the upgraded Ellex retinal laser will provide an instant cost savings that will be realized through less training time for providers, no functionality tests are needed, and an increase of healthcare services by the Eye Care Line that can both diagnose and treat patients with early signs of Diabetic Retinopathy and Glaucoma. Moreover, standardization is “driven by clinician preference and patient safety, VISN equipment standardization reduces the logistical footprint and training needs associated with using a wide variation of equipment manufacturers.”

Without this laser system, veterans that suffer from these diseases have a significant increased risk for blindness. Market research reveals that only one capable Small Business concern can provide this product in full. Therefore, it is suggested that this requirement be sole sourced to the small business Ellex Inc IAW FAR 8.405-6 Limiting Sources, VHAPM 808.405-6, and VHA Directive 1761(2) on standardization.

VHAPM Part 808.405-6 Limiting Sources

Attachment 1: Justification for Limiting Sources for Micro-Purchase Threshold up to the SAT

- 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


Contracting Officer