

LIMITED SOURCES JUSTIFICATION

ORDER >SAT

FAR PART 8.405-6

Acquisition Plan Action ID: 36C249-19-AP-3114

- 1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 9 (NCO-9), 1639 Medical Center Parkway, Suite 400, Murfreesboro, TN 37129.
2237 Number: 626-19-4-313-0240 and 626-19-4-313-0241
- 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). NCO-9 of the Department of Veterans Affairs (VA) has a requirement to purchase a Cardiology Information Management System (MUSE) for the Tennessee Valley Healthcare System (TVHS).
Order against: ☒ FSS Contract Number: V797P-4269B under schedule number 65IIA and Category A-53.

Name of Proposed Contractor: **TrillaMed, LLC.**
Street Address: **30100 Telegraph Road Ste 366**
City, State, Zip: **Bingham Farms, MI 48025**
Phone: **248-203-9734**

3. Description of Supplies or Services:

The estimated value of the proposed action is **\$1,369,527.94**

Anticipated Award Date: Sept 25, 2019

Delivery Date: Within 90 Days ADC

Warranty Coverage: 12 months from system installation.

This acquisition is for the purchase of the MUSE system, consisting of GE Healthcare EKG/ECG equipment, MUSE system software agreement, HL7 Interface, servers, associated software support, and specialized training for clinical and technical (Biomedical Engineering) staff members. The newly acquired MUSE system equipment and components will effectively replace the outdated equipment and components making up the currently installed system. TVHS Biomedical Engineers, leadership from the Cardiology Section and Medical Services, as well as TVHS executive leaders, have recognized the need to entirely upgrade the aged MUSE system in order to provide critical care to our country's veterans. The update requires a

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substantial investment, however all items and supporting services for this procurement are found on VA NAC FSS contract V797P-4269B, with no Open Market items being procured.

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. (CHECK ALL THAT APPLY AND COMPLETE)

☐ 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.

TVHS is a large, integrated healthcare system with two main campuses (Nashville and Murfreesboro) and 19 community-based outpatient clinics (CBOC) distributed across Middle-Tennessee and Kentucky. In caring for nearly 100,000 unique patients, a reliable, smooth, and efficient transfer of cardiovascular data (ECG, Holter, Stress EKG) is required across the system with absolute 100% fidelity. The General Electric (GE) system equipment and components currently in use have outdated features, functions, and capabilities; many existing ECG instruments can no longer support the latest interfaces (i.e. HL7 ADT functionality) that will guarantee the uninterrupted flow of vital information for every patient. TrillaMed, LLC., a certified SDVOSB and authorized dealer/distributor of GE cardiology related products, was found to be the only SDVOSB vendor listed in the Vendor Information Pages at <https://www.vip.vetbiz.va.gov/> who is capable of fulfilling the MUSE requirement in its entirety.

☐ 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.

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- ☒ 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 proposed MUSE system must be compatible with cataloged EKG studies within the current MUSE database. The studies must be able to be easily migrated into the new MUSE server. All existing HL7 interfaces, Virtual Local Area Networks (VLANs) and Access Control Lists (ACLs) must be leveraged such that the proposed MUSE system integrates with the VA's CPRS and network at large. The proposed GE MUSE system must also be compatible with existing GE CardioDay Holter analysis system/software. GE CardioDay Holter system/software can only integrate with the GE MUSE system in order to transfer Holter studies from the Holter device, to the patient record, via the MUSE database. The GE CardioDay Holter system/software will be rendered obsolete should the GE MUSE system not be procured.

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:

The proposed prices for this requirement will be established against the existing VA NAC FSS schedule pricing. There are no open market items being procured under this requirement and therefore, in accordance with FAR 8.404(d), GSA has already determined the prices under schedule contracts to be fair and reasonable. However; in light of the fact the requirement exceeds the SAT, the Contracting Officer will negotiate for even greater discounts. For the reasons identified above, the CO determines that establishing an FSS Delivery/Task Order award, based upon limited available sources for a 12 month period, represents the best value to the government in meeting this requirement.

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

TVHS Biomedical Engineers and Cardiology Department personnel have been conducting on-going discussions with industry experts regarding technological advancements in related equipment and capabilities. GE MUSE system components were found to exceed many of the capabilities available through competitive manufacturers. Preliminary market research was conducted by the Contract Specialist in an effort to identify capabilities within the marketplace capable of meeting the requirement. Mr. Tejas Smart, Director, National Accounts/Government Contracts, TrillaMed LLC, tsmart@trillamed.com, (248) 203-9734 was

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contacted after it was determined that TrillaMed possesses the capability to meet the entire requirement via their FSS VA NAC contract. Mr. Smart confirmed that the company's contract, VA NAC V797P-4269B, could meet the requirement, to include service and support components. Mr. Smart also verified that the company is vying for a new award, as the current contract is due to expire on 31 Dec 2020.

Mr. Reginald Hayes, Contract Specialist, Department of Veterans Affairs, NCO 17, North Texas VHCS, reginaldd.hayes@va.gov, (972) 708-0832 was contacted to inquire about results of his market research during a previous procurement of a service contract for a system identical to the system currently required. Mr. Hayes confirmed that no other offeror expressed interest in his prior requirement for MUSE service support, prompting him to subsequently pursue an open market purchase using a JOFOC supporting an award to GE Healthcare, the OEM of the supported software.

7. ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

Any disruption to patient care would be an unacceptable consequence of changing vendors on a scale of this nature. Changing vendors will require a significant amount of time to perform system evaluation and network-system configuration; during such time, the current GE manufactured system will still be required during the transition to a system from another manufacturer for the purposes of maintaining operational continuity. This extends to the full range of user training, platform testing, and product swapping. The increased cost to the Government for vendor changeovers would prove to be cost ineffective.

(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:

Actions required to remove or otherwise overcome barriers created using the current system would cause significant disruptions to patient care and present overwhelming technical and training challenges, resulting in cost related risks to the government. Therefore, no plans are being considered at this time to replace the current 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. (This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)

[REDACTED]

[REDACTED]

Date _____

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

[REDACTED]

[REDACTED]

Date _____

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.

[REDACTED]

[REDACTED] Date

[REDACTED]
[REDACTED]
[REDACTED]

HIGHER LEVEL APPROVAL (Required for orders over \$700,000):

[REDACTED]

[REDACTED]

[REDACTED] _____ Date

[REDACTED]

[REDACTED]

c. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$68 million): 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.

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Original Date: 08/30/2017
Revision 01 Eff Date: 04/23/2018

