

LIMITED SOURCES JUSTIFICATION

ORDER >SAT

FAR PART 8.405-6

Acquisition Plan Action ID: 36C248-19-AP-6000

1. Contracting Activity: Department of Veterans Affairs, VISN 08, Miami VA Healthcare System, Bruce W. Carter VA Medical Center; Biomedical and Pharmacy Services.

The Purchase Request (2237) for this requirement is: 546-20-1-586-0016

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](#)). **This is a request for other than full and open competition for the procurement of Carefusion Pyxis Support and Maintenance Services, required to service the Pyxis equipment inventory located within the Miami VA Healthcare System.**

Order against: FSS Contract Number: 36F79718D045 Name of
Proposed Contractor BD 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 


Pyxis is highly specialized state of the art medical equipment. The Pyxis machine is used in direct care environments for diagnosis, studies, and life sustaining treatment of Veteran patients throughout VISN-8.

The basic support and maintenance plan consist 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.

[REDACTED]
[REDACTED] in accordance to the established FSS NAC contract.

(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, BD 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: Pyxis branded HTME, which is highly specialized state of the art medical equipment. Pyxis HTME is used in direct care for diagnosis, studies, and life sustaining treatment of Veteran patients throughout VISN-8.

These are "direct replacements" parts/components for existing equipment. Any parts replaced during maintenance activities must be direct replacements to ensure proper equipment function.

The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing.

(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 contract is a NAC contract and prices have been determined and found fair and reasonable prior to contract award. There is no alternative for this requirement.

A comparison of previous and current awards was reviewed for this requirement:

[REDACTED]

(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 GSA elibrary using keyword "CareFusion" has identified that CareFusion Solutions, LLC does have an FSS contract (36F79718D0454). There are no other schedule holders that can perform this work or obtain the Original Equipment Manufacturer (OEM) parts needed for service.

A search of the Contract Catalog Search Tool (CCST) using the keyword of "CareFusion/Pyxis" did not identify and additional FSS contracts that contain line items that can meet the requirements of this procurement.

The Dynamic Small Business Search (DSBS) survey using NAICs code 339112 and keyword "CareFusion/Pyxis" did not identify any small businesses vendor that could possibly meet the requirements of this procurement.

A Google search using key words "CareFusion/Pyxis Service Agreement" did not identify any other vendors other than CareFusion Solutions, LLC that could possibly meet the requirement of this procurement.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

[REDACTED]

(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 product is proprietary, and 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.

 

SIGNATURE DATE
  

NAME TITLE SERVICE LINE/SECTION


FACILITY

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

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

 

CONTRACTING OFFICER DATE
 

NAME AND TITLE 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.

 



DATE