

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION DUE TO SOLE SOURCE REQUIREMENT

REQUIRED INFORMATION	
1. FACILITY NUMBER-NAME- CITY, STATE: 583-Indianapolis VAMC - Indianapolis, IN	
2. VSN OR PROGRAM ACTIVITY: 11	
3. POC NAME AND TELEPHONE NUMBER: Michael McDonald 317.988.2450	
4. PROPOSED ACTION: Sole Source Procurement of SERVICE	
5. DESCRIPTION OF REQUIREMENT: Seeking a Sole Source Justification for full maintenance contract with FujiFilm/ Problem Solving Concepts, Inc. for the ProSolv Echo Viewer and associated components. Maintenance Coverage for ProSolv Echo Viewer, Analyzer server, HL7 Integration, ADT Interface Integration, HIS Integration, Enterprise and Manager/Remote Viewer located at the Pendleton VAMC VA Illiana Healthcare System, + the Northern Indiana Healthcare System.	
<p>Supplies/Equipment: Technical Characteristics can include, but are not limited to model, make, part number, color, size, quantity, delivery date, etc. Services: Refer to the statement of work, statement of objective, or performance work statement for your description.</p>	
6. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: Only One Responsible Source Available	<ul style="list-style-type: none"> FAR 6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements FAR 8.405-6 Limited sources justification and approval FAR 13.106-1(B) SAP Requirements - Soliciting From a Single Source This is a reference to the part of the Federal Acquisition Regulation that allows an item to be purchased without being fully competed. This statement serves as a point of reference in case the justification is questioned. In this case, it would be reviewed for its relevancy to this part of the Federal Acquisition Regulation.
7. NATURE & BACKGROUND OF ACQUISITION TO JUSTIFY SOLE SOURCE: Fuji Film - ProSolve is the only contractor with the licenses required to cover the ProSolve Servers due to proprietary information protection installed on the systems by the manufacturer. Other small businesses were contacted, however, none of them were able to offer us a quote for this particular server due to the proprietary information protection on these servers that only allow Fuji Film to access for required comprehensive medical device life cycle maintenance and repairs. Among the small businesses contacted were CLIENT/SERVER SOFTWARE SOLUTIONS, INC and 270 WEB, INC. (DBA: 270NET TECHNOLOGIES), however, neither company was able to provide a quote.	<ul style="list-style-type: none"> Describe the minimum salient characteristics that will meet your needs. This is the area where you explain why no other vendor anywhere can supply this requirement for you. Acceptable reasons for "sole source" include (but are not limited to): bound by contract, technical order specification, warranty service, or regional standardization. If the reason for sole source is determined locally, offer what market research or clinical guidelines led to the decision. If this item is included in an allowance standard for War Reserve Material (WRM), cite the allowance standard, required source, and stock number for this item. NOTE FOR WRM PURCHASES: The Defense Logistics Agency is your primary source for WRM equipment. Be sure to determine availability from a DLA item manager before contracting for WRM equipment. If DLA cannot meet your timelines for WRM equipment, your urgency may be further justification for other than full and open competition. See your Medical Logistics Flight Commander for more details.
8. PROVIDE INFORMATION SHOWING MARKET RESEARCH WAS CONDUCTED: The following small businesses were contacted: CLIENT/SERVER SOFTWARE SOLUTIONS, INC. (DBA: CSSS.NET) Sales Rep: (402)393-8059 and 270 WEB, INC. (DBA: 270NET TECHNOLOGIES) Sales Rep: "Mike" (301)663-6000. Both vendors informed us that these servers have proprietary information protections that will only allow the OEM to access for lifecycle maintenance and repairs. The ProSolv Echo Viewer and all its related components utilize proprietary software and licensing by Problem Solving Concepts, Inc/ to run, trouble shoot, upgrade, and	<p>11</p> <p>Fuji Film</p>

<p>repair the system. Therefore, only Problem Solving Concepts, Inc. has the ability to perform these functions and provide the requested maintenance contract, as they are the only vendors with access to the proprietary software. The ProSolv Echo Viewer System was the bid-winner when the system was first purchased. When determining how the system would be maintained once it had already been purchased and installed, it became evident that only Problem Solving Concepts, Inc. had access to the proprietary software that is necessary to troubleshoot and repair the system.</p>	
<ul style="list-style-type: none"> This justification is for why no other vendor anywhere can supply your item or service and still meet your needs: Your rationale for barring other vendors is crucial to your justification. If you already cited the statutory reason for a sole source, state, "See paragraph 7". If your rationale for a sole source purchase was determined locally, offer an explanation of the source selection process you went through to determine your sole source requirement. Unacceptable reasons include (but are not limited to) personal taste, good relationship with existing vendor, or one's comfort level with a particular vendor. Describe the similarities and differences in vendors for the product that you are aware of that could assist or prevent the purchaser from obtaining the best value for you. Be sure to name the vendors. This section will help the purchaser decide which vendors are available to purchase this item from. If market research was not conducted, state it AND the reason that there was no market research. 	<p>PRICE ANALYSIS "FAIR AND REASONABLE": The price quoted is identical to what we paid in the past to cover the ProSolve server and related components. Pricing has remained the same since 2010. Similar services are being provided under 13's master contract for \$39,571.38. When comparing Fuji's price of \$21,520 per year for this comprehensive service for all 3 facilities it is later going to be a better value.</p> <ul style="list-style-type: none"> This section is mandatory. Do not leave this section blank. Even though this must be purchased from only one source, you must still obtain a quote from the vendor for this purchase. This way you are able to verify added costs for delivery, your geographic region, or installation. Cite the pricing here. If you purchased this item before, compare this price to what you paid last time. Cite this here as well.
<p>10. LISTING OF SOURCES EXPRESSING INTEREST IN THIS REQUIREMENT: Problem Solving Concepts, Inc. A FUJIFILM Company(Synapse Cardiovascular) 8021 Knue Rd., Suite 100Indianapolis, IN 46250. Debbie Schornhorst 317-594-7431</p>	<ul style="list-style-type: none"> Enter or attach contact information for sources you cited in the description of your source selection. If sole source by statute, regulation, or standard, list contact information for that source here.
<p>11. FUTURE ACTION TO OVERCOME BARRIER TO OTFOC: In the future, will continue to evaluate if other sources are viable to provide this service</p> <ul style="list-style-type: none"> This section fulfills the legal requirement to affirm that the selection of a singular source for this requirement is an anomaly and that action will be taken in the future to ensure full competition in the future. The reason this is needed is to describe how the government will make an effort in the future to fully comply with standard acquisition practices and not resort to creating unnecessary partnerships with few vendors at the risk barring full competition to circumvent the FAR. By signing this, you are telling the contracting officer to avoid the processes that assure best value and fairness in this acquisition. If the reason for sole source purchase is because of statute, standard, or regulation, enter "THE SOURCE FOR THIS PURCHASE IS REQUIRED IAW [cite the standard here]." 	
<p>SUBMITTED BY: Hasan, Hammam Y</p> <p>Signature: _____</p> <p>Digitally signed by Hasan, Hammam Y DN: cn=Hasan, Hammam Y, email=HAMMAM.HASAN@va.gov, o=Dept. of Veterans Affairs, Date: 2012.10.18 10:40:08 -0400</p>	<p>SIGNED BY: _____</p> <p>Signature: _____</p> <p>Warranted Contracting Officer</p> <p>Date: 10/18/12</p>

APPROVED BY:

Signature: _____

NCM or Product Line Supervisor

Date: _____

10/18/12

Note: Anything that is over 500K will need to strictly follow the SOP J&A Attachment.