

## **DETERMINATION OF LIMITATION OF SOURCES**

1. CONTRACTING ACTIVITY:

Department of Veterans Affairs, Network Contracting Office - NCO 21.

2. DESCRIPTION OF ACTION:

This action limits competition for the acquisition of Da Vinci Surgical Robot Tools and Accessories. The surgical tools are unique to the Da Vinci Surgical Robot System.

3. DESCRIPTION OF SUPPLIES/SERVICES:

Intuitive Surgical, Inc. is the only supplier of the Da Vinci Surgical Robot.

These instruments/supplies are needed to do robotic urology surgeries which the VASFMC performs at least 8 surgeries a month. The instruments are made to work with the robotic equipment for only 10 cases or surgeries. Therefore, the VA needs to replace the unusable instruments with new ones so they can continue doing these type of surgeries for the veterans. The purchase request is PR 662-13-1-054-0638 and 662-13-1-054-0773.

4. AUTHORITY CITED:

FAR 13.106(b)(1), only one source is reasonably available because the item has only one manufacturer Intuitive Surgical, Inc.

5. REASON FOR AUTHORITY CITED:

The authority cited in paragraph 4 must be used because Intuitive Surgical, Inc is the only supplier of this item. The VA currently uses the Da Vinci Surgical Robot system, which is developed and manufactured by Intuitive Surgical, Inc. The Da Vinci S robotic surgical system is the only closed robotic surgical system available on the open market and currently no other company manufacturers or sells a comparable robot system.

6. EFFORTS MADE FOR SOLICITING FROM OTHER VENDORS:

Synopsis is not required in accordance with FAR 5.101(a)(1) in that the proposed contract action is below the threshold.

FAR 6.305 (d) (1) The justifications shall be made publically available at the Government Point of Entry (GPE) [www.fedbizopps.gov](http://www.fedbizopps.gov); must remain for a minimum of 30 days.

7. FAIR AND REASONABLE COST DETERMINATION:

The Contracting Officer has determined that the anticipated price will be determined to be fair and reasonable. A Price Negotiation Memorandum (PNM) will detail how the Government has determined that the anticipated costs will be fair and reasonable.

A review of past purchases will be made in eCMS to determine if the prices are fair and reasonable.

As this item has been determined to be commercial, cost or pricing data will not be required. Pricing techniques such as described in FAR 15.404-1 (b)(2), will be used to establish price fairness and reasonableness.

8. MARKET RESEARCH:

Market Research was conducted by searching and reviewing FBO, FPDS, and eCMS. The GSA website was also reviewed for existing vendors that provided the stated requirements. It was determined that the product was not available on GSA. It was determined that this product is only available from one source Intuitive Surgical, Inc and no other suppliers will satisfy agency requirements.

9. SUPPORTING FACTS:

Intuitive Surgical, Inc is the only vendor that can supply the Da Vinci Robot System Tools and accessories.

Any supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government's minimum needs or requirements or other rationale for limited sources) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel. The evidence for this is the "Technical Data to Support a Restricted Competition" in the contract file.

10. LISTING OF SOURCES:

Intuitive Surgical, Inc  
1266 Kifer Road  
Sunnyvale, CA 94086  
(877) 408-3872

11. STATEMENT OF ACTIONS:

The notification will advise that the Government intends to procure via sole source. However, any contractors with a similar product can contract the Contracting Specialist for more information.

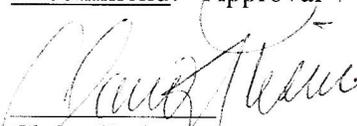
12. CONTRACTING OFFICER CERTIFICATION:

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

  
Jaime Kelley  
Contract Specialist

  
Date

Recommend: Approval / Disapproval

  
Claire Ursino  
Contracting Officer

  
Date