

## **LIMITED SOURCES JUSTIFICATION**

1. CONTRACTING ACTIVITY:

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

2. DESCRIPTION OF ACTION:

This action limits competition for the acquisition of a surgical energy platform for VA Northern CA Health Care System located in Mather, CA.

Purchase Request# : 612-13-2-145-0032

3. DESCRIPTION OF SUPPLIES/SERVICES:

This procurement is for one unit: Valleylab Force Triad with Ligasure Electrosurgical unit with footswitch, monopolar adapter and cart.

The estimated value is \$27,294.28

4. AUTHORITY CITED:

FAR 8.405-6(b), only one source will be solicited as only one manufacturer's item will meet the Government's needs. This acquisition is conducted under the authority of the Multiple Award Schedule Program

5. REASON FOR AUTHORITY CITED:

The authority cited in paragraph 4 must be used because the VA needs a surgical energy platform that delivers both enhanced monopolar and bipolar energy with self-contained ligasure tissue fusion technology and only Tyco Healthcare Group manufactures a surgical energy platform that provides enhanced ligasure tissue fusion technology that permanently fuses vessels up to and including 7mm, lymphatics and tissue bundles with a performance efficiency rating of 99 out of 100. Only Tyco Healthcare Group LP dba Covidien sell this item on a National Acquisition Center (NAC) awarded FSS. NAC FSS are mandatory IAW VAAR 808.002(a)(2).

6. EFFORTS MADE FOR SOLICITING FROM OTHER VENDORS:

Synopsis is not required in accordance with FAR 5.202 (a)(11) in that the proposed contract action is made under the terms of an existing contract that was previously synopsisized in sufficient detail to comply with the requirements of 5.207 with respect to the current proposed contract action.

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.

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

8. MARKET RESEARCH:

A search of the FPDS database led to a VA NAC schedule for the required items. As the VA NAC is mandatory and has priority over other types of procurement, that is how these items will be purchased. All indications are that only one responsible source and no other suppliers will satisfy agency requirements.

9. SUPPORTING FACTS:

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:

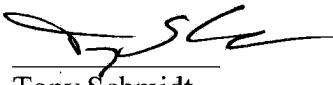
Tyco Healthcare Group LP dba Covidien  
15 Hampshire Street  
Mansfield, MA 02048

11. STATEMENT OF ACTIONS:

No action taken as the vendor is a VA NAC mandatory source.

12. CONTRACTING OFFICER CERTIFICATION:

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

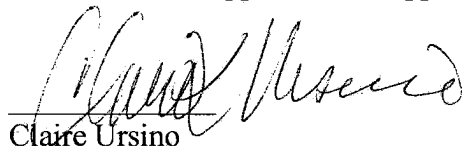


Tony Schmidt  
Contract Specialist/Purchasing Agent

4-3-2013

Date

Recommend: Approval / Disapproval



Claire Ursino  
Contracting Officer

4-3-13

Date