

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

578-13-4-944-1145

REQUIRED INFORMATION	
1.	FACILITY NUMBER-NAME- CITY, STATE: <i>578-13-4-944-1145 Edward Hines Jr VA Medical Center, Hines, IL</i>
2.	VISN OR PROGRAM ACTIVITY: <i>12</i>
3.	POC NAME AND TELEPHONE NUMBER: <i>Karen Brown 708-202-8287 x22555</i>
4.	PROPOSED ACTION: Brand Name or Sole Source Procurement of: <i>SERVICE</i>
5.	<p>DESCRIPTION OF REQUIREMENT: <i>The contractor provides the license and remote technical support to maintain the software program which supports the universal interface system used to process the laboratory test results generated by the automated laboratory equipment in the Edward Hines Jr VA Medical Center's computer system (Vista).</i></p> <ul style="list-style-type: none"> 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.
6.	<p>STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: <i>Limited Sources J&A</i></p> <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. If contracting officer determines that circumstance of contract action deem only one source is considered reasonable available. 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 relativity to this part of the Federal Acquisition Regulation.
7.	<p>NATURE & BACKGROUND OF ACQUISITION TO JUSTIFY SOLE SOURCE: <i>Dawning Technologies Inc utilizes proprietary software to maintain the universal interface system that provides automation for processing laboratory results and interfaces with the medical center's system (Vista).</i></p> <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.
8.	<p>PROVIDE INFORMATION SHOWING MARKET RESEARCH WAS CONDUCTED: <i>Due to the licensing and proprietary software, no other contractor can provide the service for the Edward Hines Jr VA Medical Center.</i></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.

9. PRICE ANALYSIS "FAIR AND REASONABLE": *Dawning Technologies Inc has submitted a FY2014 quote for a base year of \$14,800.00 with four option year renewals for a total contract cost of \$90,310.00. Compared to FY2013 cost, with no contract in place, on individual purchase orders of \$21,625.00. Given the bona fide need for the license and proprietary software support, the Contracting Officer has determined the FY2014 pricing to be fair and reasonable.*

- 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 as well in your answer.

10. LISTING OF SOURCES EXPRESSING INTEREST IN THIS REQUIREMENT: *Dawning Technologies Inc, Attn: Jay Sax, 8140 College Pwky Ste 202, Fort Myers, FL 33919 PH 239-931-6004*

- 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.

11. FUTURE ACTION TO OVERCOME BARRIER TO OTFOC: *Due to the proprietary software at the Edward Hines Jr VA Medical Center in the Vista system, Dawning Technologies Inc is the only known vendor that can provide system support on the current lab & pathology equipment.*

- 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 this as well in your answer.

SUBMITTED BY:

Signature: *Karen Brown*

Department/Requestor

Date: *6/6/13*

SIGNED BY:

Signature: *William Johnson*

Warranted Contracting Officer

Date: *6/10/13*

APPROVED BY:

Signature: *[Signature]*

NCM or Product Line Supervisor

Date: *6/10/13*

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