

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$3,000  
FAR PART 8.405-6**

**2237 Transaction # or Vista Equipment Transaction #:** 623-13-4-3184-0172

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

**Restricted to the following source:** Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Draeger Medical, Inc

Manufacturer/Contractor POC & phone number: Stan Dziewa-262-375-2012

Mfg. /Contractor Address: 3135 Quarry Road; Telford, PA 18969

Dealer/Rep address/phone number: Same as POC

☒ The requested material or service represents the minimum requirements of the Government.

**(1) AGENCY AND CONTRACTING ACTIVITY:**

Department of Veterans Affairs  
Jack C. Montgomery VA Medical Center  
Muskogee OK  
623  
16

**VISN:**

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**

Purchase of software and hardware for upgrade of existing software and hardware for anesthesia machines at JCMVAMC

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**

The hardware and software required must be compatible with the VA VISTA system and must download directly into CPRS through the VISTA system. Purchase of any other system would not meet requirement because of inability to "talk" to the VISTA A system. No other company has worked with VHA to set up a process with VHA to marry their system with VISTA A or CPRS.

**(b) ESTIMATED DOLLAR VALUE:** \$ 252,302.89

**(c) REQUIRED DELIVERY DATE:** 9-30-2013

**(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)**

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

Draeger, who owns INNOVIAN, has worked with VA to develop the INNOVIAN software and hardware system so that they system will extract information from the anesthesia machine and transfer it, via the INNOVIAN package (software) into the VISTA A system and from there it crosses over into CPRS. This capability has enabled the facility to make surgical patient anesthesia records available real time to any and all providers within the facility/VA immediately upon anesthesia provider's signature releasing the record. This is a significant patient safety achievement and advancement in care. No other electronic software packages on the market can provide this service as no other electronic software packages speak to or connect to VA's VISTA A package. Draeger has proprietary ownership of this product.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is:  
(If FAR 8.405-6(a)(2)(iii) before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)  
INNOVIAN SOFTWARE.

☒ These are "direct replacements" parts/components for existing equipment.  
Already have INNOVIAN hardware and software on site with existing anesthesia machines and are requesting upgrades of the existing systems. The upgrade must be compatible with what is already on the existing units which would be INNOVIAN.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

The existing software and hardware system which is proprietary and was developed to work with the VA VISTA A system which is currently in use now, directly uploads into CPRS the anesthesia record. The additional INNOVIAN hardware and software upgrades will be building on the already existing system in order to facilitate INNOVIAN interface with WINDOWS 7.

☒ 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.

Original INNOVIAN was ordered and installed in 2006

☒ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

There is a VHA requirement to bring Windows 7 up VA wide by September 30, 2013. The current status of INNOVIAN on the anesthesia machines will not support Windows 7. The requested software and hardware upgrades are required in order to support the VA mandated installation of Windows 7. If Windows 7 is installed and the upgrades have not been installed, INNOVIAN will shut down and will not be functional. VHA contracted with DRAEGER to develop these upgrades to specifically meet the needs of the VHA upgrade to Windows 7.

**(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

There are minimal alternatives to this that are in the best interests of the patient or the clinicians providing care. To upgrade the system will cost \$252,302.89. If the choice was made to go with a different company, the cost would be in the range of \$750,000 to \$1Million to transition to a new system. Additionally, the time required to develop a new system compatible with VA's VISTA A system would be cost and time prohibitive. This would negatively impact patient care.

**(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:**

The market was reviewed for available products. The Draeger product is a proprietary product that works with the VA VISTA A system. No other companies work with VISTA A. Development of a new product would entail an extended period of time which would take years to perfect and get to the point that the INNOVIAN product is at this point. Patient care would be negatively impacted.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

All VHA facilities that have the DRAEGER anesthesia units are making this upgrade in INNOVIAN if they have not kept their systems upgraded over the last seven years.

**(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:**

If Draeger were to go out of business and support for the system were no longer available. Then a new system would need to be obtained.

**(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. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*



SIGNATURE

August 14, 2013

DATE

Patricia Huber

Nurse Manager

Surgery Service

NAME

TITLE

SERVICE LINE/SECTION

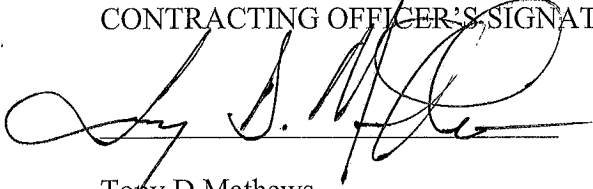
Jack C Montgomery VAMC/623

FACILITY

(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(h):

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'S SIGNATURE

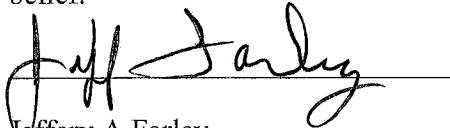


Tony D Mathews  
Jack C. Montgomery VAMC/623  
Network Contracting Office 16

8-14-2013

Date

b. P&C: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Jeffery A Farley  
CHIEF, PURCHASING AND CONTRACTING  
Jack C. Montgomery VAMC/623  
Network Contracting Office 16

8-14-2013

Date

c. NCM/PCM : I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Aaron Villalpando  
Network Contract Manager  
Network Contracting Office 16

\_\_\_\_\_  
Date