

Attachment B: Request for Limited Sources Memo Format

**LIMITED SOURCES JUSTIFICATION**  
**ORDER >\$150,000**  
**FAR PART 8.405-6(g)**

**2237 Transaction # or Vista Equipment Transaction #:** 101-13-3-128-0096 (INSERT)

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: Nikon Instruments, Inc

Manufacturer/Contractor POC & phone number: [REDACTED]

Mfgr/Contractor Address: 1300 Walt Whitman Rd, Melville, NY 11747

Dealer/Rep address/phone number: [REDACTED]

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

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

Department of Veterans Affairs

VHA/SAO East

323 North Shore Dr

Pittsburgh PA 15212

**VISN:**

For: Ralph H. Hohanson VAMC

Charleston, SC

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

This is a request for other than full and open competition for the procurement of a Nikon A1R Confocal Microscope System from Nikon Instruments through GSA Contract GS24F1333C, to be used by investigators in the Charleston SC, VA Medical Center, Research Office.

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

The requested equipment encompasses a Nikon A1R Confocal with hybrid point/resonant scanner, a 32 channel spectral detector, a Nikon TiE automated inverted research grade microscope with Perfect Focus System, a motorized stage and stage top incubation system. The critical components of this Nikon A1R system are designed to provide high throughput, high resolution, and high specificity confocal images of live cells/tissues as biological, chemical and molecular interactions occur. This system has been fitted with the highest quality objectives and is capable of differential interference contrast microscopy (DIC), an imaging modality that allows for high-resolution images of cell and tissue architecture. The requested fully-automated confocal imaging system also incorporates a resonant scanner (frequency of 7.8kHz) to

allow for imaging [REDACTED]  
allowing for flexible switching or simultaneous use of two galvo scanners, a feature possible only with this Nikon A1R system. This technique is useful for high throughput screening of, for example, drug effects on cells, cell-cell interactions or cell surface receptor modification/ binding. The laser configuration has been designed to allow for use of a wide range of fluorescent tags from UV to Far Red. In addition, the 32-Channel Spectral Detector distinguishes emission channels that appear visually similar, e.g., GFP, CFP, YFP, and allows for detection of true signal in samples with high auto-fluorescence. The live cell imaging components of this system including a Piezo stage insert deigned to fit multiple formats and a stage-fitted incubation chamber will allow investigators to ask biological question in real time.

(b) ESTIMATED DOLLAR VALUE: [REDACTED]

(c) REQUIRED DELIVERY DATE: Delivery is requested within 60 days after receipt of order

**(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.

This is a confocal system which has been specifically designed for the VA researcher's research needs which is only available from a single vendor (Nikon Instruments Inc.). The Nikon A1R Confocal with Hybrid Point/Resonant Scanner and Spectral Detector (Nikon A1R Confocal System) was chosen to meet the needs of the VA investigator's research. The dual integration signal processing (DISP) is an exclusive Nikon confocal technology that increases sensitivity [REDACTED]. This results in a level of sensitivity and image quality not available in other systems and necessary for the level of work proposed by our researchers. The incorporated resonant scanner [REDACTED] allows for imaging [REDACTED] allowing for flexible switching or simultaneous use of two galvo scanners, a feature possible only with this Nikon A1R system. The A1 32-Channel Spectral Detector distinguishes emission channels that appear visually similar, allowing for maximal resolution, sensitivity and sample preservation. Again, this technology is unique to this Nikon system.

A patent, copyright or proprietary data limits competition. The proprietary data is:  
Dual integration signal processing (DISP) is an exclusive Nikon confocal technology. [REDACTED]  
[REDACTED]  
[REDACTED]

These are "direct replacements" parts/components for existing equipment.

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.

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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.

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

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**(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

This product can be found and purchased through GSA. GSA in nature is already competed and prices are found to be fair and reasonable. In addition to the discount already provided by the GSA pricing, the contracting officer may be able to obtain a further discount from the vendor during the RFQ process.

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

We are familiar with confocal systems from other vendors, however, our existing VA Histology and Imaging Core Facility is fitted with upright and inverted Nikon microscopes. We were therefore aware of the unique, Nikon exclusive technologies that would meet the needs of our VA investigators. In addition, our experience with the products/vendor, the ability to share resources between instruments by using the same manufacturer, and the similarities between software/operations of the existing and new instrumentation are advantages for purchasing instrumentation that is compatible with existing core facility instrumentation.

Given the unique technology offered by Nikon, no additional market research was conducted.

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

The vendor has provided a description of the unique features found only in the Nikon A1R Confocal Microscope System (attached).

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**(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:**

The requested instrument is the only one on the market that provides the capabilities that VA

