

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 23, Minneapolis VA Contracting Office located at 708 South 3rd Street, Suite 200E, Minneapolis, MN 55415. VA263-13-AP-8216 with IFCAP # 636-14-1-4027-0001.
2. **Nature and/or Description of the Action Being Processed:** A fixed price Indefinite-Delivery (ID) contract will be awarded on a sole source basis for Cytogenetic laboratory testing services for the Iowa City Health Care System.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This request is for three types of local laboratory Cytogenetics testing to be performed by specific testing algorithms. The three types are Chromosome analysis, Fluorescence In Situ Hybridization (FISH), and Chromosomal microarray. The total estimated value of the contract for one year is \$120,000 (\$30,000 per quarter). The base period of performance is from 10/01/2013 to 9/30/2014.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - () (5) Authorized or Required by Statute FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** This request is for local laboratory Cytogenetics testing performed by specific testing algorithms. The testing must follow specific algorithms approved by the VA Pathology and Laboratory Medicine Service. These algorithms are familiar to and used by the Iowa City HCS physicians. The testing is on labile specimens where stability is required (therefore this precludes shipping the specimens) and testing must be completed on a STAT basis or within an hour for stability reasons. Based on the local location of the University of Iowa along with their familiarity following the specific algorithms approved by the VA, and their willingness to complete the testing on a STAT basis, they are the only known vendor.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market research was conducted by professional and peer interaction and knowledge. No other reference testing facility was found in the local area that could provide this type of required testing within an hour of opportunity. The University of Iowa Cytogenetics Laboratory is currently the only known laboratory that can meet our requirements for the type of testing needed and timeframe. The University of Iowa Cytogenetics Laboratory is the identifiable sole source for these requirements.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Based on the quote received and past procurements for cytogenetic laboratory testing, the price is determined to be fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** This is an open market requirement. Market research was done using professional interaction and knowledge, internet search and peer review. The University of Iowa Cytogenetics Laboratory is a very good, fully accredited facility that is close enough to process and test specimens in a very short (1 hr) window of opportunity for optimal specimen quality. No other local or regional lab can provide this service.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The level of complexity of labs performing these required tests is very high which presents a substantial barrier of entry for competitors. We are fortunate that the University of Iowa Cytogenetics Laboratory is willing to enter into a contract and provide this testing for us. Most other health care related entities in this area already use the University of Iowa's services.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No other source solicited; this is a sole source requirement.
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:**
Pathology and Laboratory Medicine Service will continue to investigate the availability of other local sources.
12. **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 and belief.



Neil Kumor

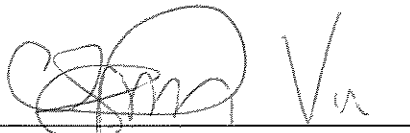
COR

Supervisor, Processing, Phlebotomy, & Sendouts
Iowa City HCS

9/17/2013
Date

13. Approvals in accordance with FAR 6.304

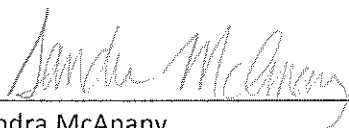
- a. **Contracting Officer's Certification:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Christopher Vu
Contracting Officer
NCO 23 - Minneapolis

9-17-2013
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition and I approve this justification for other than full and open competition.



Sandra McAnany
Product Line Contract Manager
NCO23 - Minneapolis

9/17/2013
Date