

LIMITED SOURCES JUSTIFICATION

ORDER >\$3,000

FAR PART 8.405-6(g)

2237 Transaction # or Vista Equipment Transaction #: 552-14-1-775-0001 Beckman

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: Beckman Coulter/ VA FSS Contract: V797P-7090A

Manufacturer/Contractor POC & phone number: Mark Schagane; 502-330-3319

Mfgr/Contractor Address: 250 South Karaemer Blvd; P.O Box 8000, Brea, CA 92822-8000

Dealer/Rep address/phone number: _____

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

Network 10 Contract Office

3140 Governor's Place Dr., Suite 210

Kettering, OH 45409

VISN:

10

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

The proposed contract action is a sole source, firm fixed-price, delivery order issued to Beckman Coulter, a large business, FSS contract V797P-7090A, for six (6) months for Chemistry Cost-Per-Reportable Results (CPRR) testing for the Dayton VAMC Pathology and Laboratory Medicine Service, utilizing the Beckman DXC 600 analyzer from Beckman Coulter, which is currently installed and operational at the Medical Center. This procurement provides a temporary solution to ensure continued critical immunochemistry testing during the pending solicitation of a new BPA which is still in the pre-solicitation stage.

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

The Department of Veterans Affairs, VA Health Care System (VISN 10), Dayton VA Medical Center has a requirement for DXC600 reagents and consumables to perform, but not limited to the following testing: Amphetamines, Opiates, Barbiturates, PCP, Benodiazepine, Propoxyphene, Cocaine, THC, Ethanol, Methadone, Albumin, BUN, Calcium, Chloride, CO2, Creatinine, Glucose, Potassium, Total Protein, ALP, AST, AST, Cholesterol, CK, DBili, LD-L, Magnesium, TBili, Triglycerides, Uric Acid, Amylase, Iron, GGT, HDLD, Lactate, M-TP, Ammonia, Ethanol (Serum), Transferrin, Microalbumin, and Lipase. A metering report with volume of reported results will be submitted to the vendor at the end of each month and the vendor shall bill the Dayton VA Medical Center at the contractual rate x volume for each analyte.

(b) ESTIMATED DOLLAR VALUE: \$192,000 for six (6) months of FY 14

(c) REQUIRED DELIVERY DATE: October 1, 2013 to March 31, 2014

(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.

SOP Other Than Full and Open Competition

Original Date (3/22/2011)

☒ 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.

Equipment, reagents, calibrators, controls, supplies, consumable/disposable items, parts, accessories required to maintain a fully operational chemistry testing system for the Beckman DXC 600 analyzer which includes software upgrades and maintenance and support of the interface to VISTA. The supplies and reagents are specific to the current equipment, Beckman DXC 600, which can only be provided by Beckman Coulter, the manufacturer and owner of the analyzer.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is:
Beckman Coulter is the manufacturer and owner of the Beckman DXC 600 analyzer currently in use under an expired BPA. This delivery order would allow continued use of the analyzer under the NAC contract without interruption of service.

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

N/A

☐ 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.

N/A

☐ 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.

N/A

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

N/A

(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:

FAR 8.404 (d) Pricing. Supplies offered on the schedule are listed at fixed prices. Services offered on the schedule are priced either at hourly rates, or at a fixed price for performance of a specific task (e.g., installation, maintenance, and repair). GSA has already determined the prices of supplies and fixed-price services, and rates for services offered at hourly rates, under schedule contracts to be fair and reasonable. Therefore, ordering activities are not required to make a separate determination of fair and reasonable pricing, except for a price evaluation as required by 8.405-2(d). By placing an order against a schedule contract using the procedures in 8.405, the ordering activity has concluded that the order represents the best value (as defined in FAR 2.101) and results in the lowest overall cost alternative (considering price, special features, administrative costs, etc.) to meet the Government's needs.

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

No market survey conducted. This procurement is to continue uninterrupted services available on VA FSS Contract: V797P-7090A

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

SOP Other Than Full and Open Competition
Original Date (3/22/2011)

NONE

(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:

A competitive solicitation has been issued and proposals are in evaluation at this time. This DO will provide for uninterrupted service while evaluations are completed and new equipment is put through a validation phase.

(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.)*

Monica Haworth

SIGNATURE

10/8/2013

DATE

MONICA HAWORTH

NAME

LABORATORY MANAGER

TITLE

PATHOLOGY & LABORATORY MEDICINE

SERVICE LINE/SECTION

DAYTON VA MEDICAL CENTER

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

DATE

THOMAS MOORE

FACILITY

b. NCM/PCM/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

SIGNATURE

DATE

TERRY SPITZMILLER
NCO 10 NCM