

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity: Department of Veterans Affairs, Network Contracting Office 16, Michael E DeBakey VA Medical Center (MEDVAMC). Clinical Support Service Line has provided this Justification and Approval for Other Than Full and Open Competition for the procurement for the preventative maintenance for the 7900HT Detection System. Purchase Request number 580-14-1-5161-0047.

2. Nature and/or Description of the Action Being Processed: Request a new firm fixed priced contract for Sole Source procurement for service for the 7900HT Detection System, S/N 279001522, EE#120403, located in Bldg. 109, Room 219 for a period of performance 12-01-2013 to 11-30-2014, plus four 12 month option periods.

3. Description of Supplies/Services Required to Meet the Agency's Needs: The preventative services are required to maintain the equipment in a functioning state to allow its use in Research Studies. The original equipment manufacturer shall provide quarterly calibration, preventive maintenance and inspections services to meet the agency need;

Estimated Value: \$34,865.52

Base Year:\$ 6,567.08

Option Year 1:\$6,764.09

Option Year 2:\$6,967.02

Option Year 3:\$7,176.03

Option Year 4:\$7,391.31

Description

7900HT Sequence Detection System S/N
S/N 279001522 located in Bldg.
109, room 219.

Quantity

1

Unit of Issue

JB

Estimated delivery dates: 12-01-2013

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;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

Life Technology is the original manufacturer of this equipment. No other contractor or vendor has proprietary rights or capability to provide the required services.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: Contracting Officer published Sources Sought for 7900HT Sequence Detection System for maintenance services (VA256-14-1-0045) via FedBizOpps on October 17, 2013 with results of no interested vendors.

Contracting Officer Conducted SBA search with key word 7900HT Sequence Detection System, Life Technology and NAIC 811219 to include SDVOSB, VOSB, WOSB, and 8A. Return zero replies with capability.

Contracting Officer conducted further market research, by communicating with Katherine (Kit) McGregor 240-379-4757 Contract Manager, from Life Technology if they have trained small businesses they could meet the government need. Katherine (Kit) McGregor checked and communicated via e-mail, maintenance is only done by Life Technology and they do not use other companies.

Life Technology possesses patent rights for the 7900HT Sequence Detection System and proprietary software in nature that only services or trained contractor by Life Technology can provide services.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The anticipated cost will be considered fair and reasonable from the onset pricing factor from the prior procurement history, other awarded contracts from government agencies, and a published price catalog on the internet to assist the Contracting Officer in conducting price analysis to determine fair and reasonable pricing.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: Contracting Officer Conducted SBA search with key word Life Technology for Small Businesses to include SDVOSB, VOSB, WOSB, and 8A. Return zero replies with capability.

Contracting Officer conducted further market research, by communicating with Katherine (Kit) McGregor at 240-379-4757 Contract Manager, from Life Technologies if they have trained small businesses they could meet the government need. Katherine (Kit) McGregor checked and communicated via e-mail, maintenance is only done by Life Technologies and they do not use other companies.

Life Technology possesses patent rights for the 7900HT Sequence Detection System and proprietary software in nature that are only available from Life Technology and only services or trained contractor by Life Technology can provide services. a Large Business.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None

10. 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: The Michael E. DeBakey VA Medical Center will consider, compare, and evaluate any alternative contractors with capability and training from original equipment manufacturer to provide maintenance services.

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.



Ann Marek
Research Service Line

11-7-13

Date

13. Approvals in accordance with FAR 6.304

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



ANTHONY CP MARION
CONTRACTING OFFICER
Network Contracting Office 16

11-7-13

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
Network Contracting Office 16

Date

MEMORANDUM FOR RECORD

15 Jan 2013

SUBJECT: Delegation of Authority: Other Than Full and Open Competition, Network Contracting Office (NCO) 16


REFERENCE: Standard Operating Procedure (SOP), Other than Full and Open Competition (OFOC) Procurements, Department of Veterans Affairs, VHA Procurement Manual, Volume VI, Chapter VI, dated 01 November 2012.

1. Purpose: The Network Contracting Office (NCO) 16 Chiefs of Procurement and Contracting are hereby Delegated the Authority to sign for their facilities the Justifications in the referenced SOP. In the absence of the Chief of Purchasing and Contracting, the Deputy Network Contract Managers (DNCM) may sign the Justifications.

2. Policy: Effective immediately, the following approvals for the Justifications are implemented in regards to the referenced listed above:

DOLLAR VALUE	J&A SIGNATURES REQUIREMENT
> \$3K BUT < \$150K	OFFICE CHIEF
> \$150 K BUT <\$500K	QA, NCM

3. All other signatures referenced within the SOP remain the same.


AARON VILLALPANDO
NCO 16
NETWORK CONTRACT MANAGER