

**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, VISN 16, Michael E. DeBakey VA Medical Center (MEDVAMC) Research Service Line has provided this Justification for Other Than Full and Open Competition for the procurement of a Bio-Plex 200 Suspension Array System 100-240 V model 171000201. Purchase Request number 580-14-1-4103-0027.
  
2. **Nature and/or Description of the Action Being Processed:**  
Request purchase of a Bio-Plex 200 Suspension Array System 100-240 V model 171000201 from Bio-Rad Laboratories on a sole source basis.
  
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Requirement is for equipment that enables the detection and quantification of multiple analytes (proteins and peptides or nucleic acids) in a single sample volume. Must be able to multiplex up to 500 different assays simultaneously. Estimated value: \$38,000.00
  
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - (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):** Bio-Rad Laboratories is the sole supplier of the Bio-Plex 200 Suspension Array system 100-240 V model 171000201. The assay reader component includes and is uniquely distinguished by Bio-Plex Manager software, Bio-Plex Validation Kit, and MCV (maintenance, calibration, and validation) plate which is proprietary in nature. No other vendor can support or provide the software included with this system needed for building custom assays. Bio-Rad Laboratories' software is known to support institutions that have to create custom laboratory methods. In addition, Bio-Rad Laboratories is the only vendor qualified to perform service on the Bio-Plex 200 System.
  
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

A quote was obtained from Bio-Rad Laboratories since they are the sole supplier of the requested product Bio-Plex 200 Suspension Array System 100-240 V model 171000201.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable**

Anticipated cost will be fair and reasonable based on market research from previous acquisitions of exact or similar products.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

FedBizOpps (FBO) award announcement dated 08/10/2010 Award#: AG-6395-P-10-0786 for \$49,500.00. Item description- Bio-Plex 200 System with HTF

FBO Special Notice announcement dated 02/15/2013 Solicitation#: 56306 Intent to sole source.

GSA Advantage was researched but proved unsuccessful to fulfill the requirement.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

No other vendor can support or provide the type of software included with the Bio-Plex 200 System needed for building custom assays.

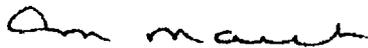
**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

See Section VI above.

**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:**

None at this time. The Research Service Line of the Michael E. DeBakey VA Medical Center utilizes laboratory methods that typically need to be custom made and stringently optimized and validated. The software offered with the Bio-Plex 200 Suspension Array System 100-240 V model 171000201 is requested to accomplish these custom assays.

**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

11-12-13

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.

Bernadette Hamel

Bernadette Hamel  
Contract Specialist  
Network Contracting Office 16, Oklahoma City

12/4/13  
Date

Tammie Chaney

Tammie Chaney  
Contracting Officer  
Network Contracting Office 16, Jackson

12/9/13  
Date

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

Clay Jones

Clay Jones  
CHIEF, PURCHASING AND CONTRACTING  
Network Contracting Office 16, Jackson

12/9/13  
Date