

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition


1. **Contracting Activity:** Department of Veterans Affairs, VISN 07, Charlie Norwood Veterans Affairs Medical Center, Augusta, Georgia. Justification for Other Than Full and Open Competition. Purchase Request #509-14-1-048-0004.
2. **Nature and/or Description of the Action Being Processed:** This is a request for a new, firm-fixed contract purchase of reference laboratory testing.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Transfusion Service requires reference laboratory testing as required to provide compatible blood products for all patients' transfusion needs. The servicing agency must provide the complete testing to confirm the identification of clinically significant antibodies that have been undetermined onsite. The testing included must utilize the methodology not routinely accessible to our testing hospital in providing a compatible blood product for inpatients and outpatients needing routine and urgent transfusions of blood and blood products with a minimum of testing time to avoid transfusion delays. The servicing agency must provide for the pickup and the testing of patient samples at any time of the day, night, holiday, or weekend. Services include transporting patients' samples from an FDA licensed facility to perform patient testing necessary to provide red blood cells and components in a routine and urgent status. The estimated contract value is \$156,000.00 for a base year with 4 option years. Requested contract period is January 1, 2014, through December 31, 2014, with option years extending through December 31, 2018. The delivery dates will be for all hours and days of the week as the urgency requires.
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):** The transfusion needs of acquiring and maintaining compatible blood and blood components include complete and thorough testing that ensures that the component will survive after transfused without compromise to the patient. The reference laboratory performs the highly specialized approved FDA complex testing in the shortest time possible to confirm the identification and the presence of clinically significant antibodies, patient antigen typing and

phenotyping, separation of transfused cells from the patient cells that is not possible for the hospital transfusion laboratory or other local facilities to perform. These tests include but are not limited to adsorptions, elutions, pretreatment with enzymes, HLA testing, platelet antibody testing, hemoglobin S testing, Rh phenotyping, cold panels, rare reagent red cell testing, and cold agglutination titers. As a transfusion service delays for emergency and surgical transfusions would commit an unacceptable delay to the patient if the agency will not perform all testing required for confirmation and resolution. Accordingly, the American Red Cross reference laboratory is the nearest facility that can perform this testing.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Efforts to include all reference labs included communicating to the nearest supplier for testing (Shepard Community Blood Center). Shepard Community Blood Center confirmed that they could not perform the complex testing required. Shepard Community Blood Center uses American Red Cross as their confirming laboratory for antibody identifications that could not be resolved at their agency.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Prices were determined to be fair and reasonable by reviewing past procurement and FPDS awards. The contract amounts vary based on actual usage, which can only be estimated. The IGCE for this requirement is \$31,200 for the base year; \$156,000 for base plus 4 option years. Procurement VA247-14-J-0004 for the period 10/2/13 through 9/30/17 was awarded for \$280,736.10. Most recent past procurement for the period 10/1/12 – 9/30/13 was for \$54,200.04 for a one year period.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A Sources Sought Notice published on FedBizOpps (FBO) yielded no interested vendors. A Notice of Intent to Sole Source to the American National Red Cross was also posted on FBO, and no responses were received. The only other local facility, Shepard Community Blood Center was contacted. They could not provide the full array of required complex testing services.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**
A reference laboratory must be within close proximity to provide the specialized testing needed in performing antibody identification within a limited amount of time to prevent transfusion delays to meet the needs for surgical patients and emergency anemic patients. This agency is the closest available agency that meets all the criteria needed. The other local blood supplier, Shepard Community Blood Center, does not perform the specialized testing needed in resolving complex antibody identification. Shepard Community Blood Center uses American National Red Cross to complete their additional testing.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No other sources expressed an interest in writing.
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:**

If another institution was in close proximity to deliver the same expert identification of antibodies to confirm their presence or absence, then there would be competition available to meet this need other than the one requested.


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.


Hilda C. Bentley
Supervisory Medical Technologist
Charlie Norwood VA Medical Center

11-6-2013
Date

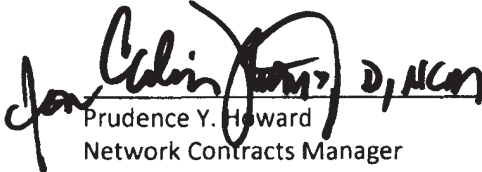
13. **Approvals in accordance with FAR 6.304**

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


Pamela H. Lewallen
Contracting Officer
NCO 7 Contracting Activity

11-6-2013
Date

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


Prudence Y. Howard
Network Contracts Manager

11/6/13
Date