

LIMITED SOURCES JUSTIFICATION

**ORDER >\$3,000
FAR PART 8.405-6(g)**

2237 Transaction # or Vista Equipment Transaction #: 552-14-3-919-0132

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: Cepheid/ VA FSS Contract: V797P-5967X

Manufacturer/Contractor POC & phone number: Robert Reed/ 888.838.3222

Mfgr/Contractor Address: 904 Caribbean Drive, Sunnyvale, CA 94089

Dealer/Rep address/phone number: Robert Reed/888.838.3222/robert.reed@cepheid@com

☒ 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
10

VISN:

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

The proposed contract action is a sole source, firm fixed-price, delivery order issued to Cepheid, a large business, VA NAC contract V797P-5967X, for reagents to utilize the instrumentation that was purchased in support of the National MRSA initiative. The requested reagents are needed for the existing MRSA system. Replacing the existing vendor at this juncture, would negatively impact the level of care/services we currently provide to residents within the facility as it would require different equipment.

(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 18 Genexpert MRSA test kits for the VA Medical Center, total cost of [REDACTED]. These kits are used for the detection of the MRSA virus in admitted patients.

(b) ESTIMATED DOLLAR VALUE: [REDACTED]

(c) REQUIRED DELIVERY DATE: March 10, 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.

☒ 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.

The existing Cepheid GeneXpert system located within the microbiology department of the laboratory is the only instrument that is used for the detection for MRSA in admitted patients and provides the

following functions.

- Clinical Management of MRSA patients
- Management of MRSA reagents
- Decreases the increase in hospital stays due to nosocomial infections.

Cepheid provides the only reagents that can be used for their GeneXpert system.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is:
N/A.

☐ 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). VA NAC 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 NAC/ FSS Contract: V797P-5967X

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

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:

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

Although VA Healthcare System of Ohio, Dayton VA Medical Center does not currently anticipate that further reagents/ equipment will be required for this system in FY14, the agency will work with the program office to perform additional market research for any additional reagents/ equipment. If this action is approved, the government will continue on-going research of the industry market place to determine if there are new entrants into this product arena that may be able to fulfill the requirement.

(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.)*

Kathy Strugg
SIGNATURE for Monica Haworth

2/20/14
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.

Thomas Moore
CONTRACTING OFFICER'S SIGNATURE

2/24/14
DATE

THOMAS MOORE

250
FACILITY

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

Thomas Moore
SIGNATURE

2/24/14
DATE

TERRY SPITZMILLER
DIRECTOR OF CONTRACTING, NCO 10