

2/11/14

N23-K407 LSTV23 - Lab Blood Testing
(c)
KAW

LIMITED SOURCES JUSTIFICATION
ORDER >\$3,000
FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: Funding for this BPA will be provided prior to orders being placed against the awarded BPA.

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: Instrumentation Laboratory (IL)

Manufacturer/Contractor POC & phone number: Jeff Kallach, Corporate Acct Dir. ph 317-650-0693

Mfr/Contractor Address: 180 Hartwell Road, Bedford, MA 01730

Dealer/Rep address/phone number: Jeff Kallach, Corporate Accounts Director. ph 317-650-0693

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

Network-23 Contracting Office (NCO-23)

474 45th St S, Suite 202

Fargo, ND 58102

VISN:

23

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

This action is for a blanket purchase agreement (BPA) whereby the holder shall provide Coagulation Analyzer cost per reportable result (CPRR) testing under FSS Schedule V797D-30108. This request is a result of Beckman Coulter and the parent company of Instrumentation Laboratory (IL) terminating their alliance to provide Hemostasis products to all their customers. IL has finalized a direct FSS contract that can continue to provide the CPRR testing to VISN 23 Lab customers as it did under the partnership with Beckman Coulter under BPA VA263-BP-0125. This BPA is exclusively for support locations under VISN 23 Department of Veterans Affairs Medical Centers.

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

The Vendor is required to provide each participating facility with an FDA approved coagulation testing system to include the following capabilities: Equipment must meet the test menu requirements of the

using facility and have the ability to perform prothrombin time (PT), activated partial thromboplastin time (APTT), high sensitivity quantitative D dimer, Anti Xa, and fibrinogen testing ideally on the same analyzer. Quantitative D Dimer must be FDA approved for exclusion of PE and DVT.

Contractor must supply all instrumentation, reagents, controls, calibrators and replacement parts to perform testing at VISN 23 laboratories. Replacement parts include but are not limited to: pumps, light sources, tubing, valves, sample needles, reagent probes, filters, fuses, printers, printer cartridges, printer drums, toner, and UPS replacements. Any maintenance, time and materials needed to keep the special items in working order shall be the responsibility of the vendor.

(b) ESTIMATED DOLLAR VALUE: \$835,560

(c) REQUIRED DELIVERY DATE: Effective April 1, 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.

After conducting market research via google, GSA E-Buy, and GSA Advantage, it was discovered that only Information Laboratory (IL) could supply the items necessary, and in the time required. Currently, BPA VA263-BP-0125 (Beckman Coulter (BC)), under FSS contract V797P-7090A, is in place with a performance period of 9/22/2010 - 9/21/2015. This BPA exists through a partnership of BC with IL. The parent companies of BC and IL have severed their alliance, and Beckman Coulter is no longer able to meet the terms and conditions of the FSS contract V797P-7090A, as well as the BPA agreement with VISN 23 Labs. However, IL has agreed to supply government facilities with required the products, and has established their own direct FSS contract V797D-30108. Furthermore, all VISN 23 lab sites have IL instrumentation systems placed approximately 3 years ago and have been using these analyzers, along with the hemostasis products, to perform Coagulation testing. By entering into an agreement with IL as the contractor, the VISN 23 labs would be able to continue their hemostasis services without interruption with no additional cost in time or monies to the government.

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

We recently became aware of the separation of the two companies, Beckman Coulter and Information Laboratory. Therefore, there is not sufficient time to competitively solicit this requirement at this time without adversely affecting direct patient care. However, a competitive solicitation will be issued at the conclusion of this BPA's period of performance.

(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:

The prices offered represent the best value to the Department of Veterans Affairs due to different factors, including not only cost to implement, but time to implement as well. The amount of resources to change equipment, technical time and supplies for required studies of new analyzers and/or methods is cost prohibitive to the government due to costs to implement, all aforementioned factors considered. The current systems have been proven to meet all the needs of our VISN 23 veterans and are cost effective. A change in systems would not provide the VA labs with any additional benefits for coagulation testing that would outweigh the time and costs of changing at this time and could very well drastically affect patient care. In addition, as has been previously mentioned above, IL would adhere to the terms and conditions of the existing BPA with Beckman Coulter, to include pricing, which adds to the price reasonableness and fairness.

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

Technical Market research was performed in early 2010 when the original solicitation was offered, as well as November/December 2013. Beckman Coulter (in alliance with IL) has offered, and continues to offer, the best Coagulation system to meet the VISN 23 lab needs for our veterans. At this time they still meet our needs based on their past and current performance. It would be more cost and time effective to continue on with this testing system at this time.

(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:

A competitive solicitation will be issued at the completion of this BPA's period of performance.

(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bone 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.)

Signature Jill M Johnson

Date 1-13-14

Jill M Johnson
Name


Health System Specialist
Title

VISN 23 Pathology & Laboratory Medicine
Service Line

Midwest Healthcare System, VISN 23
Facility

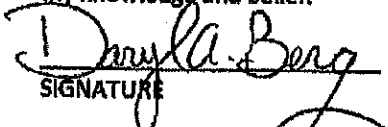
(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):

a. **CONTRACTING OFFICER'S CERTIFICATION (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


DARRYL W. MOON
Contracting Officer
Fargo, VA HCS

1/13/2014
DATE

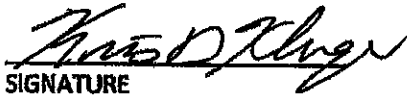
c. **NCM/PCM/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


SIGNATURE
DARYL A. BERG
Director of Contracting
Network 23 Contracting Office

1/13/2014
DATE

HIGHER LEVEL APPROVAL (Required For orders over \$500,000):

e. **SAD:** I certify the justification meets requirements for restricting consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.


SIGNATURE

11 Feb 14
DATE

for RICK L. LEMMON
Director, SAO CENTRAL

f. **VHA HCA REVIEW AND APPROVAL (over \$500,000 to \$10 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4


NORBERT DOYLE
Chief Procurement and Logistics Officer

2/20/14
DATE