

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 12, Great Lakes Acquisition Center.
2. **Nature and/or Description of the Action Being Processed:**
The research service at the William S. Middleton VA Hospital needs a Partec Flow Cytometer to be used by investigators to perform animal research. The IGCE for this product is \$253,650.55.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
The Cytometer must fit on a lab bench-top, have a footprint less than 60" x 30", utilize a 4 laser system, high quality objective lens system, and have a Low Pressure Flow Chamber (2-3 psi).
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):**

Flow cytometry is unmatched by other experimental techniques in the diversity and amount of information it can provide about cell types and behavior in the system one is researching. No other existing cell biology technique is adequate to answer the same research questions that flow cytometry can answer. There is one one responsible source that can provide the Flow Cytometer that meets the minimum requirements for researchers to be able to perform the biological studies necessary to find cures. The nearest available cytometer, with the Wisconsin Institute of Medical Research, is booked months in advance and allows for only limited access, which significantly hinders the planning for research studies. A Flow Cytometer is required to proceed with VA approved and funded research, and to be able to respond to a recent VA Pulmonary Grant review. The Partec Flow Cytometer uses a different type of patented lens than other flow cytometers, this allows for significant improvement in the signal-to-noise ratio resulting in higher performance. The Partec Flow Cytometer utilizes lower pressure (2-3psi) than other available cytometers (6-30psi) and the Partec flow chamber has a wider inner diameter, this allows for the cell velocity to be dramatically reduced and allows for significantly more light is collected, providing more detailed results. The Partec Flow Cytometer utilizes a 4 laser technology which increases the accuracy of readings. The Partec Flow Cytometer also complies with the space constraints of the laboratory.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

Market Research included checking UNICOR/FPI, Ability One (NIB/NISH), Federal Supply Schedules and GSA Advantage resulting in no other products that meet the VA's minimum requirements. The results of market research determined that only the Partec Flow Cytometer met the VA's minimum requirements.

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

Based on market research, pricing for this product is consistent with the IGCE, and competitive with other cytometers available on GSA Advantage.

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

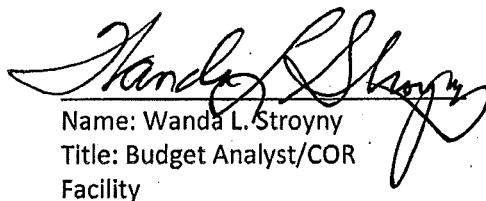
Market research determined that this product is not available from UNICOR/FPI, Ability One, FSS 65 and 66, and GSA Advantage. Market Research also determined that other available products were not technically acceptable.

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

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

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: NA

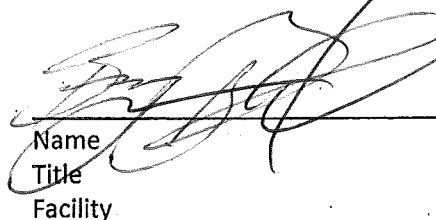
12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Name: Wanda L. Stroyny
Title: Budget Analyst/COR
Facility

9/30/14
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.


Name
Title
Facility

9/30/14
Date

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

Christine Hansen
Director of Contracting
Network Contracting Office 12

Date