

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network 16 Contracting Activity, G.V. (Sonny) Montgomery Medical Center; 1500 East Woodrow Wilson Drive Jackson, Mississippi 39216.

Transaction # 586-14-4-832-0091.

2. **Nature and/or Description of the Action Being Processed:** Upgrade to existing motorized inverted microscope to enhance fluorescence's resolution through the use of spinning disk confocal laser technology.

Contract Type: Firm Fixed Price

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Upgrade to existing motorized inverted microscope to enhance fluorescence's resolution through the use of spinning disk confocal laser technology.



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):**
Upgrade to existing motorized inverted microscope to enhance fluorescence's resolution through the use of spinning disk confocal laser technology. The upgrade represents a complex high-end research application. The primary goal is to visualize living photoreceptors cells with high-resolution laser technology under conditions that do not expose the cells to excess laser light. To minimize exposure of the cells to the laser beam it requires specialized "spinning disc" technology to diffuse the laser light on the sample. This method will not burn the living cells. The Spinning Disc Laser system with ultrasensitive cameras will be adapted to an existing motorized Olympus inverted fluorescence microscope. The company will integrate the computer control of the motorized microscope and stage with the spinning disc laser, ultra-sensitive camera systems and computer acquisition software. The most important is that the illumination field is uniform in order to allow quantitative measurements to be obtained, compared and analyzed at different X/Y/Z locations. Without the upgrade the Research Department cannot carry out the desired biological experiments without this equipment. This upgrade to the existing motorized inverted microscope will

allow the medical center to save substantial duplication of cost that would otherwise be incurred with a new complete system.

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

Market Research was conducted using the following techniques: VANAC, VetBiz, Dynamic Small Business, Google, GSA eBuy and GSA Advantage did not return any results for this type of procurement. Dynamic Small Business returned a result for Biovision Technologies, Inc. Google results for this type of upgrade yielded results for Biovision Technologies, Inc.

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

The price will be analyzed against the IGE and utilizing any available pricing data/history and trends in supply and demand for similar upgrades to ensure that the price is fair and reasonable.

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

Market Research was conducted using the following techniques: VANAC, VetBiz, Dynamic Small Business, Google, GSA eBuy and GSA Advantage did not return any results for this type of procurement. Dynamic Small Business returned a result for Biovision Technologies, Inc. Google results for this type of upgrade yielded results for Biovision Technologies, Inc.

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

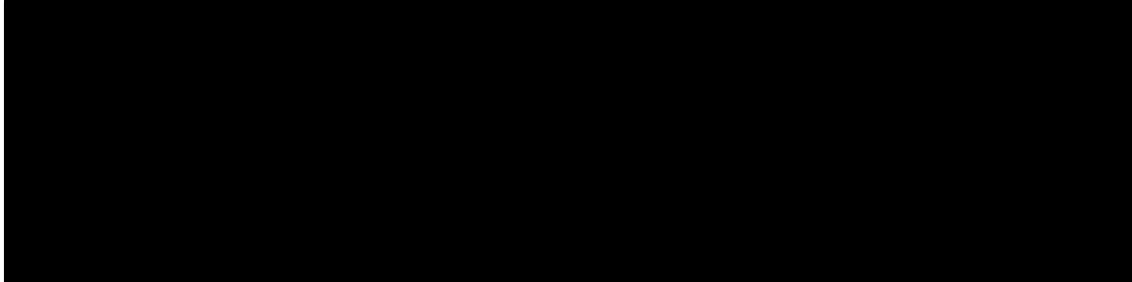
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Biovision Technologies, Inc

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:

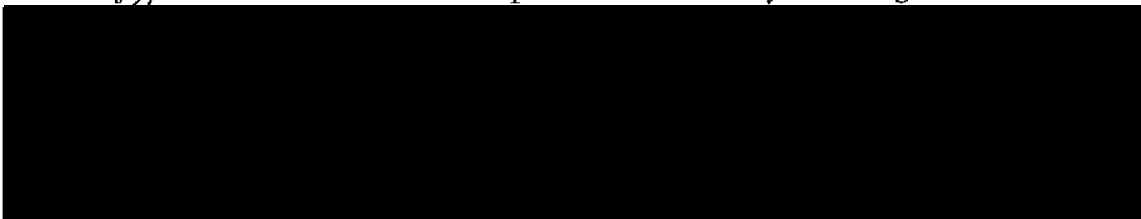
The Agency will continue to utilize all the tools available in the marketplace to procure upgrades in lieu of purchasing a new system. This will save substantial duplication of cost that would otherwise be incurred.

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. /

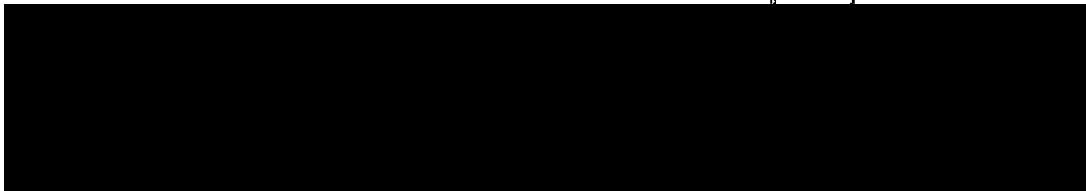


13. **Approvals in accordance with FAR 6.304**

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



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



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

