

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 08, James A Haley Medical Center 13000 Bruce B. Downs, Tampa, FL 33612, Research and Development (151). Justification for Other Than Full and Open Competition. This is in reference to 2237 (673-15-1-5310-0012).
2. **Nature and/or Description of the Action Being Processed:** This is a one time Firm Fixed Price sole source request to purchase an upright microscope with fluorescent illumination from Micro Optics Of Florida Inc. ~~Quoted as to be a sole source request.~~
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** James A. Haley is requesting purchase of new Zeiss brand microscope. Zeiss microscope is currently being used at the laboratory, this is an additional product needed to complete required microscope to accommodate the on-going research. Zeiss is the sole manufacturer of this product. This upright microscope need to have sufficient magnification, which typically requires 10x, 20x, and 40x objectives with high resolution and high transmission in order to detect faint fluorescent signals for measuring IOI. Since 20x and 40x objectives are expensive, existing objectives from Zeiss microscopes already in the lab can be used interchangeably with this new purchase. This microscope is equipped with high-power LEDs designed for fluorescent microscopy, which is more durable and economical than traditional full-spectrum arc lamps. This microscope has sufficient clearance between the objectives and the platform for animal experiments. Therefore, a column-base is required instead of the traditional microscope base. Other brands, such as Nikon or Olympus, will not work with our existing equipment, since the microscope parts are connected through proprietary ports, and our existing microscope is made by Zeiss. Therefore, only Zeiss products could satisfy the Government's need.
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):**

Only one product/brand was identified to meet the Government's minimum need. The use of brand name is essential to the Government's requirements, thereby precluding consideration of a product manufactured by another company. This is based upon market research and patient needs. Our existing equipment will only work with Zeiss Microscopes, since the interchangeable parts such as lenses and filter cubes are proprietary to Zeiss, and therefore as an extension to our existing equipment setup, we need to purchase a Zeiss Axio Scope A1 microscope with LED fluorescence illumination for our current ongoing research projects.

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

There is only one Carl Zeiss Authorized dealer in Florida, Micro Optics of Florida, Inc. We contacted the company and received a quote from them, 121-17400186-1. Since they are the Authorized Dealer and service provider for Carl Zeiss in Florida, they directly represent Carl Zeiss and can ensure the best quality and service for Carl Zeiss microscopes.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Price is determined to be fair and reasonable based upon market research conducted online, Federal Procurement System, (FDPS) Veterans Health Information Systems and Technology Architecture (VISTA), Vendor Information System (VIP).

VISTA indicates that James A. Haley has been purchasing microscope parts from Micro Optics since 2006 for Zeiss brand microscope part. James A. Haley purchased one microscope and accessories such as binocular tube for \$1,725.82, eyepiece for \$165.96 in 2009. The total purchase order was for \$21,927.45. FDPS showed that Nikon Instruments has sold microscope to Geological Survey reference contract#ING14PD00839 for \$14,628.23 Qty.1, Department of the Army had purchased similar product from Carl Zeiss for 16,222.60 qty. 1 reference contract #W81K0013P0762 and Olympus America sold similar product to VISN 7 for \$15,204.00 reference VA24714F1788 in 2014. Micro Optics of Florida submitted a quote for \$14,511.93 for the purchase of Axio Scope and accessories. Based upon market research conducted online, FDPS, VISTA and VIP, the price is deemed fair and reasonable and in Accordance with Federal Acquisition Regulation (FAR) Subpart 13.106-3(a).

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 for suitable models from Zeiss, Nikon, and Olympus. Quotes from Nikon and Olympus were not considered since, as stated previously, in order to use this new equipment as an extension of our existing setup, a Zeiss microscope is the only option due to proprietary parts.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: None

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: See section 6 above.

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: This is a brand name justification only; future requirements not subject to conforming needs will utilize competitive procedures.

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: Marco Starr

Title:

Facility James A Haley VA Hospital

Date

12-10-14

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: Trina Berry

Title: Contracting Officer

Facility: 8875 Hidden River Parkway
Tampa, Fl. 33637

Date

12-10-2014

b. Product Line Supervisor Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Name: Kawan Afre
Title: Supervisor/Commodities
Facility: 8875 Hidden River Parkway
Tampa, Fl. 33637

Date