

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, NCO 11, Ann Arbor VA Medical Center. The 2237 for this procurement is 506-15-1-1355-0044 with funding in the amount of \$48,040 for the base period.
2. **Nature and/or Description of the Action Being Processed:** This is a new requirement for a firm-fixed-price contract with a base year and four one-year optional renewal years for specialized biochemical assays on stored and fresh samples from isolated tubule and in vivo acute kidney injury experiments. Techniques used will be coordinated for each specific assay with the contractor, but will include chemical and enzymatic methods with spectrophotometric, fluorimetric, and gas chromatography-mass spectroscopy detection. Option years are based on the anticipated continuous need to complete this research project and would not be considered a separated requirement. Option years are pre-priced at a firm-fixed-price as well.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Assays on stored samples will include serum urea and creatinine levels, cellular ATP, citric acid metabolites, malondialdehyde, reduced and oxidized glutathione, and total protein content. Assays on fresh samples will include measurements of lactate dehydrogenase release, mitochondrial membrane potential and reactive oxygen species production on fresh samples. The estimated value of this contract and all option years is \$288398.40. The base period will be from date of award through September 30, 2015, with a final completion date of option years of September 30, 2019.
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):**

The University of Michigan is the only contractor capable and experienced with providing these highly specialized laboratory methods that are not commercially available. The fresh samples must be processed immediately, so close proximity to the laboratories of the VA Principal Investigator (Dr. Weinberg) at the VA and the University of Michigan is essential and the contractor must have the flexibility to do the work on the schedule that the samples become available.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Due to the nature of these highly specialized tests, these services the commercial market place cannot accommodate this requirement. All available Core laboratories in the commercial market place have been surveyed and none of them can provide this group of services in the coordinated way required for the project.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost to the Government is considered fair and reasonable based on the fact that only a limited number of these assays would be available from commercial sources if larger amounts of sample could be provided. The cost of each of those assays available commercially is the same price being offered as part of this contract even though the work in this contract is much more complex with the very small samples available. The contract will allow for as many as 500 assays per month to be performed making the cost per assay very low and impossible to attain in any other way. If the project attempted to hire dedicated staff with the skills to do this work 2-3 FTE/year would be required at a cost far greater than that of the contract and in excess of the project budget. The estimated value of this contract and all option years is \$288,398.40. This requirement includes a base period from date of award through September 30, 2015, and four one-year optional renewal years expiring September 30, 2019.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** The VA Principal Investigator has used these types of assays in his research projects for over 35 years at the VA and the University of Michigan and has supervised them by his own lab staff when there were sufficient resources to provide dedicated staff for them. Because of continuing resource constraints he maintains constant familiarity with all options for getting them done. Web searches using Google and Bing Search engines were used to locate possible laboratories. The laboratories were contacted and the results provided by the industry experts reflected that it would not be feasible to contract these assays out to other sources.
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:** The University of Michigan.
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:** We do not foresee overcoming the barriers which require these highly specialized lab test to become commercially available but the service will continue to monitor the market place for future requirements and updates.


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.

Mary Abdo
Budget Tech for Research
Ann Arbor VA Medical Center

Date 2/13/2015

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.


Diana J. Burton
Contracting Officer
NCO 11, Battle Creek

2-18-15
Date

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

James J. Hallock
Supervisory Contract Specialist
NCO 11, Indianapolis

Date _____