

**JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW FAR 13.106-1
(OVER MICRO-PURCHASE THRESHOLD(\$3K) BUT NOT EXCEEDING THE SAT (\$150K))**

IAW FAR13.104, COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW FAR13.106-1(b), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). IAW FAR13.106-3(b)(3), COs are required to include additional statements *explaining the absence of competition* (see 13.106-1 for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW FAR13.106-3(b)(3). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

1. PURCHASE REQUEST OR REQUISITION NUMBER:	1A. PROJECT/TASK NUMBER	1B. ESTIMATED AMOUNT:
644-16-1-301-0053	N/A	\$75,449.00

2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:
 The intended service is to provide comprehensive maintenance services for the Leica SP8 laser-scanning confocal microscope used by the Phoenix VA Health Care System. The SP8 is used by the researchers in the VA to produce 3-dimensional images of microscopic structures in human tissue and cells, as well as animal cell models of human diseases relevant to the Veteran population.

3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:
 The Leica SP8 laser scanner confocal microscope is a proprietary piece of equipment that belongs to Leica Microsystems, which is the original equipment manufacturer (OEM). To date Leica Microsystems has not allowed any other organization or person (with exception of its own employees) to be trained and certified on for service and repair.

4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:
 This is a highly specialized and sophisticated computer controlled machine, requiring specialized training and knowledge to diagnose and fix any problems that occur. Breakdowns of the machine can also be minimized with the performance of preventative maintenance visits which will be included in the service contract. Leica uses a unique design that is not similar to the designs of other confocal microscopes. They are the only manufacturer that uses rotating prisms instead of diffraction gratings, or High Definition sensors instead of cascade photodiodes. The SP8 is a new model of instrument, available only since late 2013. This piece of equipment has never before been outside of factory warranty service, and only the manufacturer's technicians have any experience to repair them. In addition to the latter, no other entity with the exception of Leica Microsystems makes parts for this piece of equipment.

5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:
 Market Research for this requirement has shown that Leica Microsystems Inc. is the Original Equipment Manufacturer (OEM) and has established proprietary rights. On occasion the OEM has offered training on equipment it manufactures; in this instance they have not offered any training on this piece of equipment since it is so highly sophisticated. In addition to the latter mentioned, other vendors have substantiated this claim by saying they can fulfill the requirement **only** if they subcontracted the actual labor to the OEM. The Sources Sought posted to FBO for this requirement, did not reveal any other certified organizations or persons that are capable of undertaking the requirement of preventive maintenance on this piece of equipment.

6. Contracting Officer's Certification: *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

Signature:  Date: 4 May 2015
 Name: Daniel Thiel
 Title: Contracting Officer
 Facility: SAVHCS