

**LIMITED SOURCES JUSTIFICATION**  
**ORDER >\$3,000**  
**FAR PART 8.405-6**

**2237 Transaction # or Vista Equipment Transaction #:** Funding for this BPA will be provided prior to orders being placed against the awarded BPA.

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

**Restricted to the following source:**

Manufacturer/Contractor: Instrumentation Laboratory

Manufacturer/Contractor POC & phone number: Jeff Kallach, Corporate Acct Dir, ph 317-650-0693

Mfgr/Contractor Address: 180 Hartwell Road, Bedford, MA 01730

Dealer/Rep address/phone number: Jeff Kallach, Corporate Accounts Director, ph 317-650-0693

X The requested material or service represents the minimum requirements of the Government.

**(1) AGENCY AND CONTRACTING ACTIVITY:**

Department of Veterans Affairs  
Network-23 Contracting Office (NCO-23)  
474 45th St. S Suite 202  
Fargo ND 58102  
**VISN: 23**

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**

This action is for an Emergency VISN 23 Blanket Purchase Agreement (BPA) whereby the holder shall provide Coagulation Analyzer cost per reportable result (CPRR) testing under FSS Schedule V797D-30108. This request is a result of an expiring BPA with Instrumentation Laboratories effective September 30, 2015. A new BPA, training, and installation will not be complete prior to expiration. The services and/or supplies shall be provided when ordered by an authorized Contracting Officer during the specified period of the BPA. This BPA is exclusively for support locations under VISN 23 Department of Veterans Affairs Medical Centers. The period of performance is for October 1, 2015 through March 31, 2016.

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**

The Vendor is required to provide each participating facility with an FDA approved coagulation testing system to include the following capabilities: Equipment must meet the test menu requirements of the using facility and have the ability to perform prothrombin time (PT), activated partial thromboplastin time (APTT), high sensitivity quantitative D dimer, Anti Xa, and fibrinogen testing ideally on the same analyzer. Quantitative D Dimer must be FDA approved for exclusion of PE and DVT.

Contractor must supply all instrumentation, reagents, controls, calibrators and replacement parts to perform testing at VISN 23 laboratories. Replacement parts include but are not limited to: pumps, light sources, tubing, valves, sample needles, reagent probes, filters, fuses, printers, printer cartridges, printer drums, toner, and UPS replacements. Any maintenance, time and materials needed to keep the special items in working order shall be the responsibility of the vendor.

**(b) ESTIMATED DOLLAR VALUE:** \$248,731

**(c) REQUIRED DELIVERY DATE:** October 1, 2015

**(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.**

**X**      **Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.**

BPA VA263-14-A-0006 with Instrumentation Laboratories (IL) for Hemostasis testing has been in effect since 4/1/2014. These analyzers and reagents have been proven to meet the needs of the VA. The requested contractor agrees to provide the same equipment, service, supplies and products required in support of our VISN 23 laboratories. There is insufficient time to award the FSS-RFQ BPA that is currently in solicitation (VA263-15-Q-0529) before expiration of BPA VA263-14-A-0006. By entering into an agreement with IL as the contractor, the VISN 23 labs would be able to continue their hemostasis services without interruption and no additional cost in time or monies to the government until a new BPA is awarded and transition is complete.

NA      A patent, copyright or proprietary data limits competition. The proprietary data is: (If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

NA      These are "direct replacements" parts/components for existing equipment.

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NA      The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

NA      The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

This agreement is a logical follow-on to the current BPA VA263-14-A-0006 under V797D-30108, and is a new cost per test/cost per reportable result agreement based on IL directly providing goods and services to government laboratories. The aforementioned BPA was competed via GSA EBuy.

**X An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.**

There is insufficient time to award the FSS-RFQ BPA that is currently in solicitation (VA263-15-Q-0529) before expiration of BPA VA263-14-A-0006. Failure to award this sole source agreement would have a devastating effect on direct patient care due to an immediate downgrade in veterans hemostasis services.

**(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

The prices offered are in accordance with GSA/FSS contract pricing and are therefore considered fair and reasonable, and represent the best value to the Department of Veterans Affairs.

**(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:**

There only four (4) vendors listed under 66 III, 605-3A, Cost per Test Clinical Laboratory Analyzers—all large businesses.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

None

**(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:**

As stated earlier, a long-term VISN BPA is currently in solicitation through GSA EBuy, with an anticipated award date of 12/1/2015.

**(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Jill M. Johnson  
Health System Specialist  
Midwest Healthcare System, VISN 23

Date \_\_\_\_\_

**a. CONTRACTING OFFICER'S CERTIFICATION (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Darryl W. Moon  
Contracting Officer, NCO 23

Date \_\_\_\_\_

**b. DIRECTOR OF CONTRACTING/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief, and approve for other than full and open competition.

Scott A. Petrin  
Division Chief

Date \_\_\_\_\_