

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. ACQUISITION PLAN ACTION ID:

VA258-16-AP-0593

1A. PROJECT/TASK

No.

None

1B. ESTIMATED AMOUNT:

\$6,418.13 (Base Period)

\$23,710.18 (if all options exercised)

2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:

This requirement is for the vendor to provide preventative maintenance and repair services for an AB Sciex, LLC 126 Pump and Model 166 Detector located at PVAHCS. These instruments are utilized by the PVAHCS research department in the performance of their work. If this maintenance service is not emplaced, it will adversely affect patient care and will require fee based services will could cost the hospitals hundreds of thousands of dollars.

3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:

In order to ensure that the Sciex equipment remains in proper working order, a preventative maintenance and repair contract must be established and in place. AB Sciex, LLC has identified that they have "not trained or authorized any third party service provider to perform complete end to end system maintenance/repair on its products." Furthermore, they offer "the certainty that a properly trained engineer will troubleshoot and repair your instruments with OEM certified spare parts." See paragraph 4. below for additional details.

4. REASON THAT SUGGESTED SOURCE IS THE ONLY SOURCE, WHICH CAN PROVIDE THE SUPPLIES OR SERVICES:

AB Sciex, LLC provided a memorandum stating the following:

- "Only SCIEX service engineers participate in our ongoing, multi-step training program. Our engineers are certified to service the entire SCIEX product portfolio."
- "Only SCIEX service engineers have access to the latest technical developments, repair procedures, instrument schematics, software application updates, and planned maintenance procedures."
- "Only SCIEX service engineers have access to SCIEX's confidential and proprietary tools that enable our engineers to efficiently diagnose and service across the entire product portfolio, as well as optimize instrument performance."
- "Only customers with a SCIEX service contract have phone and e-mail access to SCIEX Application Technical Support."
- "Only customers with a SCIEX service contract have phone and e-mail access to our Global Technical Assistance Center (TAC) and Global Applications Technical Support (ATS) teams."

Based on these details, Sciex confirms that they are the only source for the required preventative maintenance and repairs.

5. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:

A variety of market research methodology was conducted, this includes the following:

- Vista/eCMS were searched for similar procurements at other facilities within VISN 18. The Phoenix and New Mexico Vistas identified a procurement awarded during FY13 (to Beckman Coulter, Inc.) for the exact same services. This contract (VA258-13-C-0009) was awarded as a sole source procurement upon signature of a J&A for Other Than Full and Open Competition by the Network Contract Manager (NCM) on 12/04/2012. Contract VA258-13-C-0009 includes option years which could extend the services through December 14, 2017. However, the division of Beckman Coulter responsible for the PVAHCS equipment was sold to Sciex during 2015. As such, the equipment was removed from contract VA258-13-C-0009 with modification P00004 (effective December 15, 2017).
- AB Sciex, LLC was contacted to determine if they still provided the required preventative maintenance and they confirmed that they do.
- AB Sciex, LLC provided a memorandum stating that they have "not trained or authorized any third party service provider to perform complete end to end system maintenance/repair on its products." Furthermore, they offer "the certainty that a properly trained engineer will troubleshoot and repair your instruments with OEM certified spare parts." As such, they are the only source for the required support and maintenance agreement and no SDVOSB or VOSB vendor is available that could furnish the required support and maintenance agreement.
- No SDVOSB/VOSB's listed in VetBiz are able to provide the services.
- AB Sciex, LLC is the only entity found in an internet search that can provide the services.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 4: Single Source Justification for SAP under \$150K

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: _____

ACOSTA

Name: Carlos Acosta

Title: Medical Sharing Branch Chief

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ou=people,
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