

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Organization:** Department of Veterans Affairs, VISN 3, Network Acquisition and Logistics.
2. **Description of Action:** This is a request for other than full and open competition for the procurement of continued Laboratory testing with Esoterix Genetic Laboratories (Genzyme Corp).
3. **Description of Supplies or Services:** Laboratory services will include special tests performed on pathology specimens. Transaction number: 620-12-1-124-0001.
4. **Statutory Authority:**
 - (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. **Validity of Use of Statutory Authority:** Selection #1 was chosen based on the need for continued laboratory services. Currently, tests being performed are a major requirement for treating patients. Any delay or changes in these tests could affect patient care.
6. **Actions to Promote Competition:** *N/A*
7. **Determination of Fair and Reasonable Price:** The rates were previously determined to be fair and reasonable but all future rates shall be negotiated.
8. **Market Survey:** Market research conducted for vendor located in CCR and not on the EPLS, HHS Exclusionary list.
9. **Other Considerations:** None
10. **Listing of Sources that expressed, in writing, an interest in the acquisition:** None
11. **Statement of Actions to Overcome Barriers to Competition:** NA

12. **Requirements Certification:** I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my recognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Christine Cutler
Christine, Cutler
Administrative Lab Manager

10-10-11
Date

Approvals in accordance with FAR 6.302-2:

a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Blythe Richardson
Blythe Richardson
Contract Specialist
VISN 3

10/19/2011
Date

b. **One Level above Contracting Officer:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. *This signature may be the VISN NCM if the Contracting Officer and Contracting Supervisor is the same individual.

Selah Scott
Selah Scott
Contracting Supervisor
VISN 3

10/21/11
Date

c. **NCM:** I certify the justification meets requirements for other than full and open competition.

for Yolanda Kelly
Name: Yolanda Kelly
NCM
VISN 3
Adwiga Kustra
Deputy Network Contract Manager
Network Contracting Activity
SAO EAST

OCT 21 2011
Date

Notice of Intent for Sole Source of Esoteric Testing.

The Veterans Affairs James J. Peters Medical Center, Network Contracting Acquisitions (VISN3) intends to enter into sole source procurement Pursuant to FAR Subpart 6.302-1, with Esoterix Genetic Laboratories Inc. The period of performance will be for Fiscal Year 2012, in the estimated amount of \$84,000. Services will be performed for Hudson Valley Campus (Castle Point, New York). These test performed include Chromosome Analysis, Lymphocytic Antibodies, Cytokeratin Antibodies, Tumor Markers, Immunohistochemistry staining with 1, 2, 3 of pathological material and 4 for other antibodies as needed for correct diagnosis. The intent is for services to be continued at the Castle Point location while a competitive contract is issued to include all of the following stations: Bronx, Manhattan, Hudson Valley and Northport and New Jersey. Any firm that believes it can provide the stated service to all the locations mentioned can provide supporting documents demonstrating their products capability; and specifications within five (5) calendar days from the date of publication of this notice. Information can be sent to the Contract Specialist; Blythe Richardson. No telephone or facsimile requests will be accepted. This procurement will be prepared in accordance with FAR Part 13, using Simplified Acquisition Procedures.