

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A) For Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA263-16-AP-4316

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, Saint Cloud, MN 56303.
2237 Number: 618-1.
2. **Nature and/or Description of the Action Being Processed:** A Requirements Contract (Base and 4 Option Years) for reagents, solutions, and consumables to process of Non-gynecologic cytology samples.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Reagents, solutions, and consumables to process of Non-gynecologic cytology samples conducted on Hologic T-2000 and T-5000 instrumentation owned by the Minneapolis VA Health Care System.

The estimated cost for the base and four option years is \$218,264.21

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 Minneapolis VA Laboratory currently owns and is using Hologic T-2000 and T-5000 instruments in the laboratory for processing of Non-Gynecologic samples, and no other products can be used with this instrumentation. In addition, if there was a similar product, it still could not be used on these instruments as it would invalidate the service contract that is already in place on the equipment.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A notice of intent will be posted on FBO.gov prior to award, with this justification attached.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer will determine the price to be fair and reasonable prior to award IAW FAR 13.106-3 (a) (2).
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not** Conducted: Market research was conducted on both GSA and open market sources. No other product was found that can be used with the existing instrumentation.

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:** None.

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:** If in the future additional reagents or supplies are needed, the government will conduct a survey of the marketplace to see if additional sources are available, and if additional sources are found this requirement will be competed at this time.

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.

Renee E.
Burke 331253

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Renee Burke
Supervisory Technologist
Minneapolis VA Health Care System

07/13/2016

Date

13. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**

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

ANDREA L
HARTER 197690

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Andrea Harter
Contracting Officer
NCO 23-St. Cloud

07/13/2016

Date

b. **Director of Contracting /Designee (Required \$150K and above):** I certify the justification meets requirements for other than full and open competition.

Jennifer L. Myers-
King 653629

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Jennifer Myers-King
Branch Chief, Supply
NCO 23-St. Cloud

07/14/2016

Date