

DEPARTMENT OF VETERANS AFFAIRS**Justification and Approval****For****Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 12, 115 South 84th Street, Suite 101, Milwaukee, WI 53214-1476. Justification for other than full and open competition, 2237 No. 695-12-2-904-0017.
2. **Nature and/or Description of the Action Being Processed:** Justification and approval for other than full and open competition for the purchase of one Thin Prep 2000 processor for the Milwaukee VA Medical Center (VAMC). This procurement will proceed on a sole source basis with Cytac Corporation.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The Pathology and Laboratory Management Department of the Milwaukee VAMC has a requirement for one Thin Prep 200 Processor.

Estimated Costs

Thin Prep 2000 Processor \$48,900.00

Shipping Cost \$150.00

Total estimated cost is \$49,050.00

Estimated delivery date is third quarter (April-June) of 2011.

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;

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 Thin Prep 2000 processor is a unique instrument used for preparing liquid based cytology specimens which is state of the art for quality patient care.

The system:

- utilizes a computerized process and patented membrane technology that controls dispersion, collection and transfer of diagnostic cells from the sample to the slide. This ensures that the slide is representative and reproducible of the original sample.
- processes both gynecologic and non-gynecologic specimens for pathology review.

Gynecologic specimens collected in Thin Prep vials can also be tested for the presence of Human Papilloma virus which is the cause of many cervical cancers.

The Thin Prep 2000 processor is the only instrument on the market that is compatible with the cytology processing instrument currently being used in the Milwaukee laboratory. Due to an increase in workload and the age of the current instrument, this instrument will be an addition to and not a replacement for the current system. Use of two different processing systems in the cytology lab would be unacceptable. Supplies purchased under the current cytology supply contract are for Thin Prep processing only. They would not work with another system.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practical: The requested equipment is only available from one source. Aside from the manufacturer, there are no other distributors for the sought equipment.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The Contracting Officer has reviewed historical pricing data for the procurement of the Thin Prep 2000 Processor and identified the price paid in the past is the exact same as in the current procurement. The quoted price is the market price for this item.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: As in previous procurements of Cytyc products, these items are not available on Federal Supply Schedule and are not available from open market distributors. Cytyc Corporation is the only source for the request equipment; a search of eBay, the NAC website, and Google confirm this.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: N/A.

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: None.

- 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.

Eileen S. Dunning
NAME

3-20-2012
DATE

Anatomic Pathology supervisor
TITLE

Zachary VA Medical Center
FACILITY

13. Approvals in accordance with FAR 6.304

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

Jason R. Baltutis
NAME

3/21-12
DATE

CONTRACTING OFFICER
TITLE

GRAC
FACILITY

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

Linda Kypsel
NAME

3-21-12
DATE

for Network/Program Contract Manager

VISN 12