

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

1. Contracting Activity: Department of Veterans Affairs, Network 16 Contracting Activity, Michael E. DeBakey VA Medical Center #580, VA Medical Center 2002 Holcombe Boulevard Houston, TX 77030 #580-17-1-026-0035

2. Nature and/or Description of the Action Being Processed: Cepheid GeneXpert System (Infinity) Xpert MRSA (120 tests/kit), Xpert MTB/RIF (10 tests/kit), Xpert C. difficile/Epi (10 tests/kit), Xpert Flu (10 tests/kit), Xpert Carba-R (10 tests/kit) and Xpert CT/NG (10 tests/kit).

These items are sole proprietary Kits sold by Cepheid.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

- 180 – REAGENT, MICRO ANALYZER, DETECTION, MRSA, XPERT, KIT, (120 TESTS/KIT)
- 168 – REAGENT, MICRO ANALYZER, DETECTION, C DIFFICILE/EPI, XPERT, (10 TESTS/KIT)
- 24 – KIT, INFECTIOUS DISEASE TESTING, AMPLIFICATION, MTB/RIF, XPERT, (10 TESTS/KIT)
- 120 – KIT, INFECTIOUS DISEASE TESTING, CT/GC, CARTRIDGE, 3 CONTROLS, (10 TESTS/KIT)
- 12 – CXCARBAR-10, (10 TESTS/KIT)
- 70 – KIT, INFECTIOUS DISEASE TESTING, FLU A/B AND 2009 H1N1XPRT, (10 TESTS/KIT)

4. Statutory Authority Permitting Other than Full and Open Competition:

- (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 only manufacture which provides the required Cepheid GeneXpert System (Infinity) Xpert MRSA (120 tests/kit), Xpert MTB/RIF (10 tests/kit), Xpert C. difficile/Epi (10 tests/kit), Xpert Flu (10 tests/kit), Xpert Carba-R (10 tests/kit) and Xpert CT/NG (10 tests/kit). These are sole proprietary Kits sold by Cepheid. The procurement requirement is only manufactured and sold by the OEM and there are no other authorized resellers and or distributors.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: The contracting officer submitted a FBO posting on November 30, 2016 after 38 SDVOSB from VIP were identified by NAIC 334516 that they could potentially fulfill the need, however, there were no response

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: The procurement request is being purchased from an established and active NAC contract therefore the prices have been deemed as fair and reasonable.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: The contracting submitted an FBO posting on November 30, 2016 with a closing date of December 16, 2016 and the supplies can be procured from the Cepheid's NAC contract V797P-5967X.

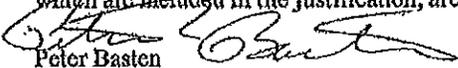
9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

Cepheid
904 Caribbean Drive
Sunnyvale, CA 94089
Phone: 888-838-3222
P.O.C.: Rebeccah Brunette
Phone: 832-306-6460

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:

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.


Peter Basten

Name
Title Management and Program Analyst
Facility Michael E. DeBakey VA Medical Center, DTCL

12-23-2016
Date

13. Approvals in accordance with FAR 6.304 This part if filled out by Contracting Staff as part of the Justification

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

Diyonne N.

Williams 336553

Diyonne Williams

CONTRACTING OFFICER

NETWORK 16 CONTRACTING ACTIVITY

Digitally signed by Diyonne N. Williams 336553
DN: dc=gov, dc=va, o=Internal, ou=people,
0.9.2342.19200300,100.1.1=diyonne.williams@
va.gov, cn=Diyonne N. Williams 336553
Date: 2016.12.23 14:58:26 -0600

12/23/16

Date