

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA69D-17-AP-4068

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO) 12-Great Lakes Acquisition Center (GLAC) on behalf of the Federal Health Care Center, North Chicago, IL under purchase request 556-17-2-7943-0065.
2. **Nature and/or Description of the Action Being Processed:** An interim sole source agreement for a new Indefinite delivery indefinite contract (IDIQ) with firm fixed price line items for a period of six (6) months in accordance with FAR 13.5-Simplified Procedures for Certain Commercial items, where acquisition conducted under the Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6 but still require a justification using the format of FAR 6.303-2.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The purpose of this contract is to procure testing conducted in a certified reference lab for Blood Donor testing. Contractor will provide courier services from the FHCC to the contractor reference lab, conduct testing, and provide results.

The estimated value over 6 months is \$251,440.00.

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

In accordance with FAR 13.106-1(b) (2)-Only one responsible source

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 contractor operates an American Association of Blood Banking (AABB) accredited, Federal Drug Administration (FDA) registered, Clinical Laboratory Improvement Amendments (CLIA) licensed reference lab with the capabilities of providing the most recently FDA mandated testing for Zika virus along with all previously mandated donor panel tests. Currently, Creative Testing Solution is the only contractor that can continue to provide blood donor testing on an interim basis as of 3/28/17 while a new competitive contract is formed.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** For the purposes of the subsequent contract, a sources sought will be posted to Federal Business Opportunities to assist in identifying additional sources for Donor Panel testing.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The contractor will continue to honor the previously agreed upon prices for the interim period. Based on the previous determination of fair and reasonable pricing and lack of significant changes within the market for reference lab testing it is anticipated that the price is fair and reasonable.

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 to determine the availability of testing through NAC FSS, VIP certified SDVOSB/VOSB contractors, and Small Business entities. NAC FSS does not include Reference Labs. VIP search conducted using NAICS 621511 and keyword donor yielded no results. NAICS 621511 and keyword blood donor yielded two sources. Upon inquiry of the capabilities statements of both contractors, neither are reference labs capable of providing Blood Donor panel testing. DSBS was searched for reference lab keyword with no result. A search of NAICS 621511 with keyword blood donor yielded no result. NAICS 621511 with keyword donor yielded one contractor, Unilab, however this is not a general FDA donor testing facility. Their focus is strictly on egg and sperm donors. It is not anticipated that any other sources can maintain continuity of testing without some sort of delay on the interim basis.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Lovell FHCC provides approximately 75 percent of frozen blood product for the Department of Defense (DoD) worldwide, therefore making FHCC a critical link to supply military forward-deployed units and Medical Treatment Facilities with both frozen and fresh blood products in the care of active duty and beneficiary patient populations. The FHCC Blood Donor Processing Division (BDPD) is one of twenty blood collection sites for the Department of Defense (DoD) that processes approximately 40,000 recruits annually. Lack of Blood Donor panel testing for any period of time would be detrimental to the supply chain that depends on the location for blood products.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No known.
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:** A competitive action will be executed following this award. The action will remove the barrier of critical services meeting the timeframe necessary to continue services at the facility.
12. **Approvals in accordance with the [VHAPM, Volume 6, Chapter VI: OFOC SOP](#).**
- a. **Contracting Officer or Designee's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Jessica Rasmussen
Contracting Officer
NCO 12

3-21-17

Date

- b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

David Picchi
NCO 12, Branch Chief, Supply Team
Facility

3/21/2017

Date