

VA258-16-AP-5912 / 756-17-1-056-0008

LIMITED SOURCES JUSTIFICATION

FAR PART 8.405-6

Acquisition Plan Action ID: 756-17-1-056-0008

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source:

Name of Proposed Contractor: Abbott Laboratories
Street Address: 100 Abbott Park
City, State, Zip: Abbott Park, IL 60064
Phone: 1847-935-2135

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs
El Paso VA Health Care System
5001 N. Piedras St
El Paso, TX 79930
VISN: VISN 17

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

The justification for this action is a result of the requirement for the El Paso VA Health Care System (EPVAHCS) Laboratory's continued need to purchase reagents, consumables, and supplies from Abbott Laboratories for Cost-per-Test testing manufactured by Abbott Laboratories and used in the diagnosis of diseases of the blood to Veteran patients served by the EPVAHCS.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

Cost-per-Test supplies and consumables for the period 6 November 2016 – 30 April 2017

(b) ESTIMATED DOLLAR VALUE:

(c) PERIOD OF PERFORMANCE: 6 November 2016 – 30 April 2017

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.).

VA258-16-AP-5912 / 756-17-1-056-0008

The EPVAHCS currently utilizes reagents, consumables, supplies and analyzers manufactured by Abbott Laboratories. If award is not made to Abbott Laboratories, the existing reagents, consumables, supplies and analyzers would not be compatible with the replacements, injuring the Government by substantially increasing cost while rendering the current processes in the Laboratory ineffectual and outdated.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is:
(If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

☐ These are "direct replacements" parts/components for existing equipment.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

The justification for this action is a result of the requirement for the El Paso VA Health Care System (EPVAHCS) Laboratory's continued need to purchase reagents, consumables, and supplies from Abbott Laboratories for Cost-per-Test testing manufactured by Abbott Laboratories and used in the diagnosis of diseases of the blood to Veteran patients served by the EPVAHCS. The vendor shall provide, in accordance with all applicable federal, state and local regulations, laws, and ordinances, and in accordance with the specifications outlined for accreditation certification if applicable, reagents and other consumables to enable EPVAHCS to accurately and efficiently analyze patient specimens. EPVAHCS anticipates approximately 759,310 chemistry tests will be analyzed in-house for FY2017.

A new vendor would need to have the new analyzer undergo verification testing before exclusive use. In essence, both the existing and new analyzers will have to be onsite during an overlapping period to ensure continuity and testing both occur. There is an approximate verification/testing period of 30 – 45 days.

☐ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

(4) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

Currently, the facility is using Abbott Laboratories analyzers, cost-per-test chemistry products and other consumables. Resource constraints at the EPVAHCS Laboratory currently preclude the timeframe to procure, install and maintain new analyzers at this time. Since no other reagents, consumables and supplies are compatible to existing analyzers in the EPVAHCS Laboratory, award to Abbott Laboratories must be made to maintain continuity of services and avoid injury to the Government through

VA258-16-AP-5912 / 756-17-1-056-0008

duplication of costs and unacceptable delays. Award to any other source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

Market Research indicated the following vendors were capable of providing Cost-per-Tests, however, only Abbott Laboratories is capable of providing Cost-per-Tests that are compatible with the Architect analyzer currently in use within the El Paso facility.

Vendor	Contract Vehicle
Abbott Laboratories	V797D-7335A
Beckman-Coulter	V797P-7090A
Ortho-Clinical Diagnostics	V797P-7126A
Roche	V797P-7037A
Siemens	V797D-30175

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

ACQUISITION HISTORY

Historically, this action was provided via BPA VA258-14-A-0026 and the General Services Administration (GSA) Federal Supply Contract # V797-7336A. The following previous purchases are detailed below:

Contract Vehicle	Period of Performance	Amount of Award
VA258-15-J-0038	4 Nov 2014 – 5 Nov 2015	
VA258-16-J-0193	6 Nov 2015 – 5 Nov 2016	

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

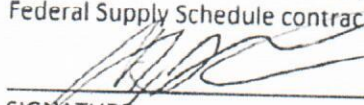
The following Milestone Schedule for the intended base plus four contract vehicle is provided in support of the proposed short-term, sole-sourced action:

Milestone	Planned Date
Completion of Acquisition Package	10/20/2016
Acquisition Plan Approvals	11/01/2016
Solicitation Review Completed	11/20/2016
Issuance of Solicitation	11/30/2016
Quotes Due	12/6/2016
Evaluation of Quotes	1/6/2017
Contract Preparation, Reviews, and Clearances Obtained	2/1/2017
Contract Award	2/17/2017

VA258-16-AP-5912 / 756-17-1-056-0008

(9) **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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

SIGNATURE



DATE

18 OCT 2016

NAME

Cheryl D. Austin

TITLE

Acting Lab Manager

LABORATORY

FACILITY

EL PASO VA HCS

(10) 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.

Michael J.

Digitally signed by Michael J. Tusinger

Tusinger

11/03/2016

Michael J. Tusinger
Contracting Officer
NCO 17

DATE

b. **Director of Contracting/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Harry T. Loughran

Digitally signed by Harry T. Loughran

11/03/2016

Harry T. Loughran
Chief, Division-1, NCO 17

DATE