

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: 689-17-2-373-0099

1. Contracting Activity: Department of Veterans Affairs, VISN 01, West Haven 689 Medical Center

2. Nature and/or Description of the Action Being Processed:

FAR13.5 Simplified Procedures for Certain Commercial Items: This procurement is for genotype assay kits in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under 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:

This is a request for the purchase of following arrays:

- a. Infinium® Multi-Ethnic Global-8 v1.0 Kit. The Infinium Multi-Ethnic Global-8 v1.0 BeadChip can process 8 samples and includes genome wide and high value functional content selected to effectively evaluate all global populations (AMR, AFR, EUR, EAS <(>&<)> SAS). Each package contains 6 BeadChips, along with reagents for amplifying, fragmenting, hybridizing, labeling.
- b. Infinium® Methylation EPIC Array: Infinium Methylation array targeting >830k methylated CpGs in promoter, gene body, and enhancer regions for genome wide methylation studies.
- c. Infinium® PsychArray-24 v1.1 BeadChipKit. This beadchip kit enables coverage of common SNPs and psychiatric relevant markers. The 24-sample beadChip includes content specific for schizophrenia, autism, bipolar disorder, ADHD, major depression, OCD, anorexia, and other disorders.

All three arrays need to be compatible with our current and Yale's YCGA Illumina HiScan instruments.

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;

FAR13.5 Simplified Procedures for Certain Commercial Items: The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Due to proprietary sequence information of all three array's Illumina is the only manufacture of the kits that are compatible with both the West Haven VAMC's and Yale Center for Genome Analysis's instruments, the Illumina HiScan.

Illumina is the only provider of supplies to be used with their specialized equipment as Illumina does not sell microarray products through third-party vendors.

Research using a different brand of assays would not be compatible with previous research already conducted using these products.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

None as Illumina does not sell microarray products through third-party vendors.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

Contractor is providing 30% discount off of list price due to volume of purchase.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

No market research as Illumina confirmed that it does not allow for microarray products to be sold through third party vendors.

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

In addition, the cost to purchase another brand of chips would require the additional expense of purchasing a technology package that would be compatible with those chips resulting in a substantial duplication of cost.

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

NA

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:

The requirements of research and our existing equipment are unique and require unique sources. This is anticipated to be a one time purchase.

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.

4/20/2017

Name
Title

Date

13. 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.

Name

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.

Name

Date

NCO 01 Director of Contracting or Designee