

**DEPARTMENT OF VETERANS AFFAIRS**

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

1. **Contracting Activity:** Department of Veterans Affairs, VISN 21, Palo Alto Health Care System.
2. **Nature and/or Description of the Action Being Processed:** We are processing a contract mod for additional sites to be covered on the contract for maintaining a DNA sequencing library.

**FAR13.5 Simplified Procedures for Certain Commercial Items:** This procurement is 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 6.303-1.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This contract is for maintenance of a DNA sequencing library for the VA Palo Alto Health Care System. The estimated amount for this modification is \$480,000.

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 Certain Commercial Items of FAR 13.5 is (Section 4202 of the Clinger-Cohen Act of 1996) 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):**

**Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements (FAR 6.302-1)** – We have a contract in place with a vendor to maintain a DNA sequencing library. The contract currently covers our Palo Alto Health Care System. We need to add the following sites:

VA Connecticut Healthcare System  
Southeast Louisiana Veterans Health Care System  
Iowa City VA Health Care System  
James A. Haley Veterans' Hospital

The Palo Alto Health Care System is a field office for our National Office and they support many VA-wide initiatives. These four health care systems need to be added into a single DNA sequencing database and it would be impractical and unreasonable to maintain separate databases if we were to compete separate contracts for those sites.

Because their DNA Sequencing Library was mature at the establishment of NRLN, PHRL was chosen to maintain the network's DNA Sequencing Library. Therefore, the other members of the NRLN, VA Connecticut Healthcare System, Southeast Louisiana Veterans Health Care System, Iowa City VA Health Care System, James A. Haley Veterans' Hospital, will adopt the standards and practices of the existing PHRL DNA Sequencing Library.

To guarantee specimen efficacy, data and continuity across sites, it is crucial to use the current vendor who has expertly maintained the PHRL DNA Library for the past few funding cycles. Although development of the NRLN will add 4 additional laboratories, only one instance of the DNA library is required. The result of this strategy creates significant cost savings through reduced investment to expand the current DNA Sequencing Library.

No other vendor can provide the technical solution or the cost reduction to expand this program. Finally, one library will facilitate the specimen processing, provide a large sequencing database for which all sites can compare new sequences for quality control, and save the VA the cost and confusion of having several non-integrated libraries with multiple incongruent technologies whose data cannot be easily be compared.

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

Due to the unique nature of these services which are described in the previous section, we would not be able to seek other sources.

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

The current contract was competed under VA261-17-Q-0237 and we were able to base our price fair and reasonable determination using competitive pricing. The vendor that received the award provided reasonable pricing for the contract and we expect to receive reasonable pricing for the contract mod.

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

Market research was not conducted due to the unique nature of the need for this contract mod. A notice of contract mod will be posted on FedBizOpps.

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

None

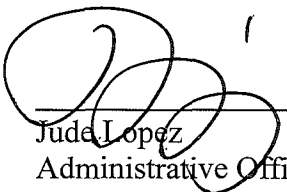
**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Bitscopic Inc  
425 Broadway  
Redwood city, CA 94063  
DUNS: 078575935

**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 current contract was competed and this was not a long term contract with option years. This mod is needed so that a single DNA sequencing database can be established at the four Health Care System that will be added to the contract. If services are needed in the future, they will be reviewed to determine whether a new competitive solicitation can be issued.

**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.

  
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Jude Lopez  
Administrative Officer

**13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.**

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

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Michael P. Hodahkwen  
Contracting Officer

**One Level Above the Contracting Officer:**

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Mark J. Mikus  
Division Chief