

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval  
Under  
Simplified Acquisition Procedures (SAP)  
For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

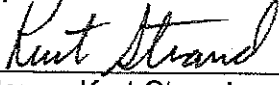
1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO) 20, for the VA Puget Sound Medical Center, Seattle, WA.
2. **Nature and/or Description of the Action Being Processed:** This requirement is for repair and preventive maintenance services for a Genetic Analyzer (SC3130-16 3130-16 Genetic Analyzer – MFR Applied Biosystems). The action will be awarded as a new firm-fixed-price contract.
3. **Description of Supplies or Services Required to Meet the Agency's Needs:** This procurement under PR # 663-12-2-2163- 0608 is for a service contract to provide preventive maintenance and repair for the 3130 Genetic Analyzer Sequencer. The contractor will plan, program, administer, manage, and execute the work necessary to provide the maintenance and repair services for the 3130 Sequencer (Serial number 1343\_029).

The period of performance is date of award for 12 full months, with three (3) 12-month option periods. The total estimated value of this contract action is \$39,416.72.

4. **Statutory Authority Permitting Restriction in Competition:**  
The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C. 253(c), as implemented by FAR 13.106-1(b)(1). The specific reason for restricting competition is no other company may legally provide this service, 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):**  
Life Technologies does not authorize any third-party service provider to perform maintenance and repair on Applied Biosystems (AB) instruments. Life Technologies is the only manufacturer authorized service provider for Applied Biosystem instruments. Life Technologies maintains IP rights to its collection software and service tools software. Third party resellers and service providers are strictly prohibited from accessing, using or selling this software.
6. **Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:** A Sources Sought notice was posted to Federal Business Opportunities (FBO) on 3/29/12 looking for both large and small business and closed on 4/3/12. Applied Biosystems responded on 3/30/12 and was the only company responsive to the Sources Sought.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:** Price reasonableness will be based on market research, a comparison with similar pricing in related industry, and any current price lists, catalogs or advertisements available.
8. **Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):** A Sources Sought notice (VA260-12-I-0692) was posted to FBO on 3/29/12 and closed on 4/3/12. The requirement was stated along with the request for a capabilities statement. Applied Biosystems responded on 3/30/12 and was the only company responsive to the Sources Sought. No other companies were pursued.
9. **Any Other Facts Supporting the Restriction of Competition:**  
None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**  
Applied Biosystems responded to the Sources Sought notice on 3/30/12, and was the only company responsive to the Sources Sought.
11. **Statement of 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:** No actions are planned at this time. Life Technologies does not authorize any third-party service provider to perform maintenance and repair on Applied Biosystems instruments. Life Technologies is the only manufacturer authorized service provider for Applied Biosystem (AB) instruments. Life Technologies maintains IP rights to its collection software and service tools software. Third party resellers and service providers are strictly prohibited from accessing, using or selling this software.

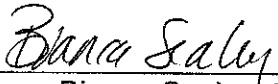
12. **Requirements Certification - IAW FAR 6.303-2(c):** I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
Name: Kurt Strand  
Position: R&D Lab Operations Manager

5/22/2012  
Date

13. **Approvals IAW VHA SOP 3.22.11:**

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

  
Name: Bianca Sealey  
Contracting Officer  
NCO 20 Services Acquisitions Team

5/22/12  
Date

- b. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.

  
NCO 20 Team Manager

5/22/12  
Date