

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA257-17-AP-10293

1. **Contracting Activity:** Department of Veterans Affairs, VISN 17, Audie L. Murphy Medical Center. South Texas Veterans Health Care System (STVHCS), Audie L. Murphy Division and the VISN 17 Contracting (10N17/671C), 7400 Merton Minter, San Antonio, TX 78229.



2. **Description of Action:** This acquisition is conducted under the authority of the Multiple-Award Schedule Program (41 U.S.C. 251 and 40 U.S.C. 501). STVHCS has a requirement for Laboratory Fee Basis Testing Services.

Order against: FSS Contract Number:

Name of Proposed Contractor: GENOMIC HEALTH

Street Address: 301 PENOBSCOT DRIVE

City, State, Zip: REDWOOD CITY, CA 94063

Phone: 866-662-6897

3. **Description of Supplies or Services:**

The estimated value of the proposed action is Base + 1 Option Year:

Contractor will provide Reference Laboratory Testing on specific analytes and/or assays on an as needed basis.

(4) IDENTIFY THE AUTHORITY AND SUPPORTING RATIONALE (see 8.405-6(a)(1)(i)(A), (B), and (C) or 8.405-6(b)), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

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

Only one source can provide the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized;

Genomic Health. The diagnostic use of these tests or assays is based on methods, reference ranges and physician input. It would not be clinically appropriate to change reference ranges and methods each year. Furthermore, the process of changing tests, ranges, methods, LOINC codes in the VISTA Lab package annually would create an administrative burden (and cost) that would exceed the potential cost savings from changing reference labs. Also, any changes in VISTA requires changes in Computerized Patient Record System CPRS because of the way the profiles/tests are packaged uniquely by Service

In the interest of economy and efficiency, 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.

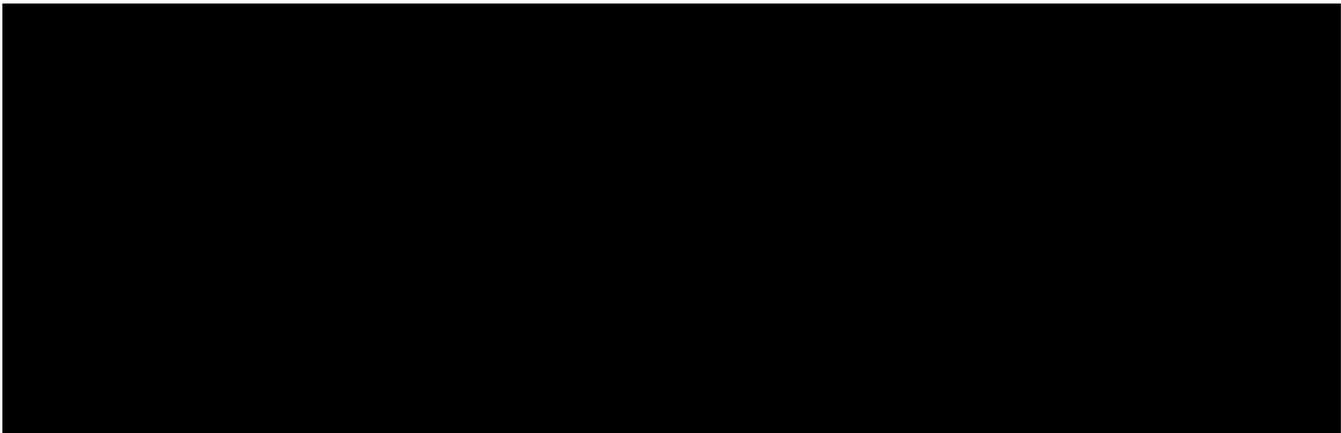
Items peculiar to one manufacturer:

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.

1. **(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:** Task Order is being placed under NAC Contract: V797D-70053, pricing has been determined to be fair and reasonable while satisfying agency needs. Pricing is based on per test for Breast, Colon, Prostate and MMR based on pre-negotiated pricing in conjunction with NAC Contract: V797D-70053.



(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 was conducted under SIN: 621 II on GSA eLibrary: 10 Contractors were listed under Category: 621-200 Anatomy Pathology. Notice of Intent was issued on FBO and closed on 10/23/2017. Genomic Health was the only responder.

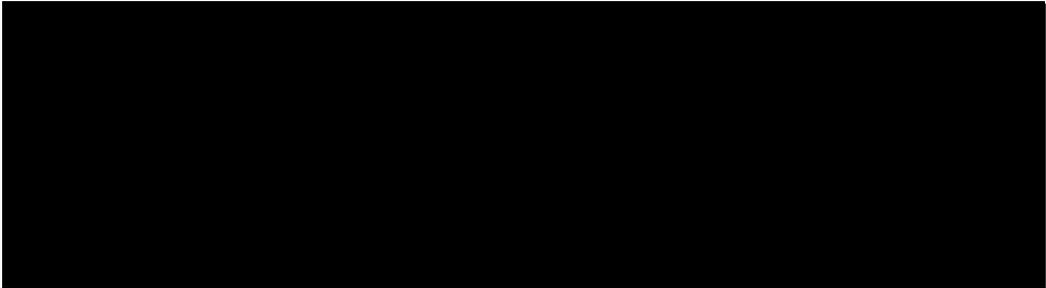
(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

Genomic Health is currently performing this service and it is recommended to award a base plus one option year contract to allow for continuity of services. This action will be followed by a competitive, VISN wide base plus 4 option year contract.

(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 follow-on action will be competed to allow for any new vendors to compete on this award.

(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. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*



(10) APPROVALS IN ACCORDANCE WITH THE VHAPM Part 806.3 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.

