

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA250-17-AP-14220

1. Contracting Activity:

The Department of Veterans Affairs (VA), VISN10, Louis Stokes Cleveland Veterans Affairs Medical Center (CLE VAMC), Pathology and Laboratory Medicine Service (PLMS) has a request for Immucor Gamma reagents and consumables for their Galileo Blood Bank System.

Transaction: 541-18-1-775-0004

- 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).

Order against: ☒ **FSS Contract Number: V797P-5944X**

Name of Proposed Contractor: Immucor Gamma
Street Address: 3130 Gateway Drive
PO Box 5625
Norcross, GA 30091-5625
Phone: 855-466-8261 #1

This contract will be a new, Firm Fixed Price, Indefinite Delivery, Indefinite Quantity Contract with a base year and four (4) option years if applicable.

3. Description of Supplies or Services:

The estimated value of the proposed action is **\$48,593.57 for the base year and \$ 242,967.85 with four option years.**

Immucor Gamma reagents and consumables are used for antisera and testing cells to perform blood typing and antibody screening and identification. Reagents (cells and antisera) must be compatible with the Galileo Echo Blood Bank System currently in use by the PLMS. This requirement will allow the CLE VAMC PLMS to maintain the level of patient care services required for safe transfusion medicine services.

VHAPM Part 808.405-6 Limiting Sources
Attachment 2: Request for Limited Sources Justification Format >\$150K

Description	Total Quantity	Delivery
1 CAPTURE-R READY INDICATOR CELLS BarC - 10x11.5ml	52	ONE SET TO BE SHIPPED EVERY WEEK STARTING 12/15/2017
2 REFERENCE CELLS A1 AND B - 2x10ml -	78	SETS TO BE SHIPPED EVERY 2 WEEKS STARTING 12/15/2017.
3 WB-corQC - 2 SETS/KIT	26	ONE KIT TO BE SHIPPED EVERY 2 WEEKS STARTING 12/15/2017.
4 PANOSCREEN I, II, III - 3x10ml	26	2 SETS TO BE SHIPPED EVERY 4 WEEKS STARTING 12/15/2017.
5 CHECKCELLS - 3x10ml	13	ONE SET TO BE SHIPPED EVERY 4 WEEKS STARTING ON 15/15/2017
6 PANOCELL-10 FICIN TREATED	13	ONE SETS TO BE SHIPPED EVERY 4 WEEKS STARTING 12/15/2017
7 CAPTURE-R READY SCREEN	52	4 BOXES TO BE SHIPPED EVERY 4 WEEKS STARTING 12/15/2017
8 CAPTURE-R READY ID - 5 PLATES	6	SHIP ONE EVERY 8 WEEKS STARTING ON 12/15/2017
9 REFERENCE A2 CELLS - 1x10ml	13	SHIP ONE EVERY 4 WEEKS STARTING 12/15/2017
10 COMPLEMENT CONTROL CELLS - 1x3ml	13	SHIP ONE EVERY 4 WEEKS STARTING 12/15/2017
11 PANOCELL-16 - 16x3ml	13	SHIP ONE EVERY 4 WEEKS STARTING 12/15/2017
12 CorQC TEST KIT - 2x11.5ml	13	SHIP ONE EVERY 4 WEEKS STARTING 12/15/2017

(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. (CHECK ALL THAT APPLY AND COMPLETE)

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

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- ☒ Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized;

Immucor Gamma is uniquely qualified to provide the reagents and consumables based on the following:

- The system has a patented microstrip barcode.
 - All strips feature 2d bar codes for traceable resource management;
 - Every strip contains two (2) samples;
 - This has positive control validates test results; and
 - Able to identify the strip type, lot number, expiration date and a unique serial number.

☐ 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: Galileo Echo equipment, reagents and consumables

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

The reagents and consumables being procured are for the Galileo Echo Blood Bank System. The Galileo Echo Blood Bank System must use only Immucor Gamma's proprietary reagents and consumables. Immucor Gamma's reagents and consumables are the only supplies that will work with the Galileo Echo.

Immucor Gamma currently does not have any VA distributors.

☐ 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.

(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:

Immucor Gamma is the only source that can provide the specific reagents and supplies for the Galileo Echo Blood Bank System currently in use by the PLMS at the CLE VAMC. The reagents and consumables are specific to the Galileo Echo Blood Bank System used and alternate contractors cannot provide acceptable reagent systems. The reagents and consumables are only available through Immucor Gamma. The contractor was selected based on the availability of the reagents and consumables that meet the specific parameters of the equipment (chemical and antibody make-up, configuration, size, shape, etc.). This ensures that the highest standard of accuracy and validation is maintained, as required by the College of American Pathologists (CAP) and The Joint Commission (TJC).

(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 by the Contracting Officer and the PLMS to identify available sources to meet the requirements as follows:

Based on the results of market research, the government determined that there is only one contractor, Immucor Gamma, that can provide the reagents and consumables necessary for patient care.

A Sources Sought was posted on FBO from October 4, 2017 through October 18, 2017 with two (2) responses. One response was from Attain It, certified 8(a) small disadvantaged business, woman-owned small business, and HUBZone firm. They carry gel reagents in which PLMS doesn't use because they feel solid phase technology produce better results. The other company, Quotient, a small business, also had gel reagents, in which PLMS can't use.

An Intent to Sole Source was posted on FBO from October 19, 2017 through November 2, 2017 with no responses.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:


Immucor Gamma's patented reagents and consumables possess the specifications required to fill this requirement. An open competition to complete this requirement would cause duplicated cost to the Government.

All facts have been documented in section five. There are no additional facts to be reported in this section.

(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 Government will continue to conduct thorough market research to gauge the marketplace capabilities for future requirements.

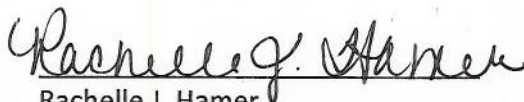
(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand 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.)*


Evelyn Crow
Assistant Laboratory Manager
VISN 10

11-3-17
Date

(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.


Rachelle J. Hamer
Contracting Officer
NCO 10

11-3-2017
Date

b. One Level Above the Contracting Officer (Required over \$150K but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

Connie A. McKay
Branch Chief – Supply Team #2
NCO 10

Date