

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID:** VA260-18-AP-2677

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 20, Portland Medical Center, Laboratory.
- 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-7335A

Name of Proposed Contractor: Abbott Laboratories Inc.

Street Address: 100 Abbott Park Road

City, State, Zip: Abbott Park, IL 60064

Phone: 224-668-3892

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

The estimated value of the proposed action is \$ 559,960.00 for 1 year of Cost Per Test Reagents with the maintenance, supplies and consumables.

*Abbott Architect i2000sr Analyzer CPT reagents, consumables and supplies for HIV/HCV/HEP testing performed at the Portland VAMC Laboratory. This requirement includes all reagents and expendables, services and accessories for patient testing. The Architect i2000sr Analyzer is leased from Abbott Laboratories and is currently onsite and in use at the Portland VAMC Laboratory. These tests are detrimental to transplant patients for their current and upcoming care.*

**(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 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;

*Architect i2000sr Analyzer CPT reagents and consumables are unique to Abbott Labs and they are the sole manufacturer and distributor of their products. A letter to substantiate this is included in the briefcase.*

☐ 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.

**(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:**

*Abbott Laboratories has a current FSS contract V797P-7335a and Portland VAMC also receives an additional discount due to the high volume of testing completed on a yearly basis. Validation testing is required when a new instrument is installed in the lab. Testing is conducted congruently with the existing instruments before any permanent change is made to ensure reliability and safety. This testing can take up to six months to be completed. The Abbott Architect i2000sr Analyzer Instrument is currently on site at the Portland VA Medical Center laboratories as the current contractor making them the only logical choice to continue testing during the beginning stages of a long-term BPA. Completely discontinuing use would create unacceptable delays and affect patient care and safety as the Portland VA Medical Center cannot go without laboratory testing. Additionally, in accordance with FAR 8.404(d) the prices delineated under schedule contract have already been determined fair and reasonable.*

**(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 and it has been determined that no SDVOSB/VOSB can supply and maintain the complexity of the Analyzer and the volume of testing required at the Portland VAMC. It has been determined that Puget Sound VAMC laboratory will also*

*require the same requirement, this time next year. By combining the two requirements, this reduces substantial duplication of effort that will not reduce savings at this time but will be beneficial by placing a larger long-term action in the future for both Portland and Puget Sound VAMC's. This would bring additional meaningful discussions within the competitive action to maximize the Government's ability to obtain the best value. A sole source manufacturer and distributor letter has been provided by the contractor.*

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:** None

**(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:**

*This limited source justification is essential to maintain critical service while the agency follows competitive procedures which will lower barriers to competition for future procurements.*

**(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.)*

<u>Kathleen Miles</u>	<u>04/30/2018</u>	
SIGNATURE	DATE	
<u>Kathleen Miles</u>	<u>Chemistry Supervisor</u>	<u>Portland Laboratory</u>
NAME	TITLE	SERVICE LINE/SECTION
<u>Portland VA Health Care System</u>		
FACILITY		

**(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.

\_\_\_\_\_  
CONTRACTING OFFICER/DESIGNEE'S SIGNATURE

Jodi Stevenson - Contracting Officer

Portland VAMC - Laboratory

\_\_\_\_\_  
NAME/TITLE

\_\_\_\_\_  
FACILITY

**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.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

Jonathan Jewel

\_\_\_\_\_  
NCO20 Supply 2 Branch Manager