

LIMITED SOURCE JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA257-18-AP-3271

1. Agency: Department of Veterans Affairs

Contracting Activity: Network Contracting Office 17 (NCO-17)
7201 W. Interstate 40, Ste. 100
Amarillo, TX 79106-2612

2237 #: 671-18-3-121-0942 & 671-18-3-121-0944

- 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](#)). NCO-17 intends to place a sole source delivery/task order with Beckman Coulter, Inc. for a Cost-Per-Reportable-Result (CPRR) agreement against their VA National Acquisition Center (NAC) Federal Supply Schedule (FSS). The proposed action will be a new action. The proposed action will have a base period of performance of one (1) year and have four (4) option periods.

Order against: ☒ FSS Contract Number: V797D-70260

Name of Proposed Contractor: Beckman Coulter, Inc.
Street Address: 250 S. Kraemer Blvd.
City, State, Zip: Brea, CA 92822-8000
Phone: 800-526-3821

3. Description of Supplies or Services:

CPRR agreement. Agreement consists of no-cost equipment rental, required reagents and consumables at a CPRR cost of (price to be determined). CPRR includes equipment services, training and ancillary freight, delivery and installation of equipment at the Audie Murphy VA Hospital, San Antonio, TX and at the Kerrville VA Medical Center, Kerrville, TX. The hematology instruments will analyze specimens collected from patients; pertaining to their diagnosis, treatment and prevention of diseases.

Audie Murphy VA Hospital:
CellaVision DM96 (Monitor not included), Part Number: XU1002001
DXH 1601 with Dual Workstations, Part Number: B41752
CellaVision DM9600 Body Fluid Application, Part Number: CBF970099

- Ancillaries: standard shipping and installation included

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

- Cost for equipment lease/rental (no-cost) is included with consumables
- Initial training (3 Users) and Annual Training (1 User), Factory Based, Included

Consumables included with CPRR agreement (no-cost):

Description	Part/Item Number	Est. Quantity
FP, DXH Diluent, 10L	628017	1143
FP, DXH Cell Lyse, 5L	628019	56
FP, DXH DIFF Pack	628020	72
FP, DXH Retic Pack	628021	18
FP, DXH Cleaner, 10L	628023	45
FP, 6C Cell Control 12X	628027	48
FP, LATRON Control	628024	24
FP, Retic-X Cell Control	628028	24
FP, S CAL Calibrator	628026	4
Yearly Kit (Lamp + Filter)	100101105	1

CBC reagent volume based on estimated number of tests per day, 7 days per week, and 2 calibrations per year. Estimated monthly billing based on 13800 CBCs with differential and 420 retics.

Consumables not included with CPRR agreement:

Description	Part/Item Number	Est. Quantity
FP, BCI Wright Stain 4x2L	A50831	15
Wright Stain Buffer	7547180	22
S/A, SMS Printer Cartridge	A95702	2
GLWR, Custom, 25x75x1	B01276	20
QC Labels, 1 Roll (1000)	XU1002301	1
CellaVision Oil Pack 2x150	XU1013501	1
Magazine Pack for DM1200	XU1013301	1

Kerrville VA Medical Center:

UNICEL DXH 600, Benchtop, 90-120VAC, 50/60HZ, Part Number: B01795

Includes Workstation, UPS and Printer

Ancillaries: standard shipping and installation included

- Cost for equipment lease/rental (no-cost) is included with consumables
- Initial training (2 Users) and Annual Training (1 User), Factory Based, Included

Consumables included with CPRR agreement (no-cost):

Description	Part/Item Number	Est. Quantity
FP, DXH Diluent, 10L	628017	190
FP, DXH Cell Lyse, 5L	628019	10
FP, DXH DIFF Pack	628020	13
FP, DXH Cleaner, 10L	628023	19

FP, 6C Cell Control 12X	628027	12
FP, LATRON Control	628024	12
FP, S CAL Calibrator	628026	2

CBC reagent volume based on estimated number of tests per day, 7 days per week, and 2 calibrations per year. Estimated monthly billing based on 2,100 CBCs with differential and 0 retics.

The estimated value of the proposed action is \$ REDACTED

(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.
- ☐ 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;
- ☐ 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.
- ☐ 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.

The required equipment must connect with the Beckman Coulter Power Express automation line, which is already installed at the Audie Murphy VA Hospital. The automation line is proprietary and only Beckman Coulter equipment can connect to it. The required equipment at the Kerrville VAMC must be compatible with the equipment at the Audie Murphy VAMC so that the reference ranges correlate.

(5) DETERMINATION BY THE CONTRACTING OFFICER THAT THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d):

The Contracting Officer has determined that placing a delivery/task order with Beckman Coulter a best value due to the anticipated cost of the CPRR to be in the quantities range described in Beckman Coulter's NAC FSS price list and with the prices of CPRR agreements found to be a best value for the government in the past.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

A review of the hematology instrument CPRR vendors noted that all five (5) were large businesses. Special notices, notices of intent to award a sole source procurement, were published on the Federal Business Opportunities website on 4/5/2018 under RFI's 36C25718Q9173 and 36C25718Q9174 for the requirements. The notices stated that responsible sources may submit a capability statement, to be used to determine if a comparable source is available and more advantageous to the government, which shall be considered by the agency. There have been no responses to the notices.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

N/A

(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:

Beckman Coulter is the only firm capable of providing the requested supplies/services without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements. The pathology & laboratory medicine service will conduct market research prior to the exercise of option renewals and new requirements to determine if there have been any changes in the marketplace.

(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.

//SIGNED//
REDACTED

5/21/2018
Date

VHAPM Part 808.405-6 Limiting Sources
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Laboratory Manager
Pathology & Laboratory Medicine Service
South Texas Veterans Health Care System

(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.

<u>//SIGNED//</u>	<u>5/25/2018</u>
REDACTED	Date
Contracting Officer	

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.

<u>//SIGNED//</u>	<u>6/4/2018</u>
REDACTED	Date
Chief, Division I	
Network Contracting Office 17, SAO-W	

HIGHER LEVEL APPROVAL (Required *for orders over \$700,000*):

c. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$68 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

<u>//SIGNED//</u>	<u>6/29/2018</u>
REDACTED	Date
Acting Executive Director, SAO West	
Head of Contracting Activity (HCA)	