

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition (>SAT)**

Acquisition Plan Action ID: 36C250-18-AP-0939

1. **Contracting Activity:** Department of Veterans Affairs, NCO 10, Ann Arbor VA Medical Center; 2237 506-18-3-1358-0611

2. **Nature and/or Description of the Action Being Processed:** Contractor shall provide quarterly and semi-annual surveillance testing on specific pathogen free barrier mouse rooms and rat rooms in accordance with the statement of work. Cost includes supplies, laboratory animals, serum and tissue samples, provision of PCR and serology tests, and semi-annual fur mite testing.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The service provide research animals, their housing, and testings to maintain the health for research animals. The specific tests and care is for research animals. The estimate is for 1400 mice and their cages along with 75 rats and their cages per year. Testings includes serology long panel, pinworm, fur mite, enteric opti-express, and helicobacter. Estimated value including all options is \$542,316.

4. **Statutory Authority Permitting Other than Full and Open Competition:** .

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
() (2) Unusual and Compelling Urgency per FAR 6.302-2;
() (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
() (4) International Agreement per FAR 6.302-4
() (5) Authorized or Required by Statute FAR 6.302-5;
() (6) National Security per FAR 6.302-6;
() (7) Public Interest per FAR 6.302-7;

FAR13.5 Simplified Procedures for Certain Commercial Items: *The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).*

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

The Regents of University of Michigan Research conducts the required surveillance for their own laboratories. The Ann Arbor Research Center suite is located at the University of Michigan Research

Center. The Rodent Health Surveillance team for the University of Michigan shall conduct the same services that they provide to their own research animals and deliver them to the VA Research Center, located in the same building.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Intent to sole source was posted on August 8, 2018. The post stated that the Department of Veterans Affairs (VA), VA Ann Arbor Healthcare System, is soliciting and intends to award a Contract for in support of the VA Ann Arbor Healthcare System, 2215 Fuller Road, Ann Arbor, MI 48105. NAICS Code 541940, size standard \$7.5 Million. The Government intends, in accordance with FAR 13.106-1 to negotiate on a sole source basis with Regents of University of Michigan for this service to provide all materials, labor, supervision, and personnel to provide rodent health surveillance tests for research animals housed at the Ann Arbor VAMC Research Center. Sole source is due to the special capabilities required and the requirement of the provider to be in close proximity to the VA Ann Arbor Research Center. VA Research Center is located on University of Michigan Research Campus. No solicitation package is available. A determination not to compete is solely within the discretion of the Government. Any response to this notice must show clear and convincing evidence that competition would be advantageous to the Government. Responses must be received NLT 2:00 PM EST on 08/13/2018. No telephonic inquiries shall be accepted. All responses must be e-mailed to the contracting officer. No responses were received as a result of the post.
7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** The internet was searched for actual cost of the individual tests could not be found on the internet; however, the University of Michigan provided full breakdown cost of each test and whether it is quarterly or semi-annually. Cost of mice and cages was compared to cost found online. University of Michigan provided the cages significantly cheaper at .215 for mice and .28 for rats, while Ohio State provides at cost of .81 for rats and 1.52 for rats.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As described in Section 6 above, market research, in accordance with FAR part 10, was conducted by synopsis of intent to sole source advising industry of the pending acquisition and providing time for interested parties to submit reason not to sole source.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** University of Michigan is an affiliate and provides same service within their own laboratories as required for this service to the VA.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition** Only University of Michigan was sought and provided interest.
11. **A Statement of the 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:**

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >SAT

No actions are planned since the Ann Arbor VA Research Center is located at the University of Michigan Research Campus. This service is required for more than one year due to the continued plan to conduct research by the Ann Arbor VA Research Center.

- 12. 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 and belief.

Elizabeth Koester
Administrative Officer, Research Services
Ann Arbor VA Healthcare System

13. Approvals in accordance with the [VHAPM Part 806.3 OFOC SOP](#):

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

Christopher D. Gundy
Contracting Officer, NCO 10

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

Andrew J. Craig
Supervisory Contract Specialist, NCO 10
Branch Chief, Services Team #4