

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

Acquisition Plan Action ID: 36C241-18-AP-0524

1. **Contracting Activity:** The requesting facility is Department of Veterans Affairs, VISN 1, VA Boston Healthcare System (VABHS), at 150 S. Huntington Avenue, Jamaica Plain, MA 02130. The VA Biorepository Brain Bank (VABBB)/ National Center for PTSD Brain Bank are requesting to acquire up to 20 frozen control brains per contract year.
2. **Nature and/or Description of the Action Being Processed:** The proposed action is to acquire donor control brains via a five year firm fixed price IDIQ contract. The anticipated value of this requirement inclusive is approximately \$572,444.41 (\$113,000 in year one, with 2% increase each year after). It is estimated that brains will be acquired from an average of 20 donors per year.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

Fresh frozen control brains. Criteria:

- Donor eligibility: Age 55 and over, no history of neurological disease
- Authorization for release of medical records.

Contractor shall provide extant human brain tissue to the VABBB and NCPTSD from controls they recruit postmortem. Specifically, National Disease Research Interchange (NDRI), through its Private Donor Program (PDP), shall:

- Recover, preserve, package, and ship brain tissue according to standard operating procedures.

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;

(X) (5) Authorized or Required by Statute FAR 6.302-5; 38 U.S.C. §8153(a)(3)(A).

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

NDRI, through their unique Private Donor Program, has the necessary established expertise and experience to acquire and deliver the appropriate control brains from deceased donors nationwide.

There are limited brain banks that are willing and have the capacity to provide brains to the VA. There is already an established contract with the Lieber Institute where the primary goal is to acquire appropriate PTSD brain tissue. This contract will provide control brains from a contractor that is willing and has the capacity to provide this quantity of human brains.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

The only other brain bank with the capacity and willingness to supply extant human brains is already under contract.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The Independent Government Cost Estimate indicates a cost of \$5,500 per brain. Additionally, exact cost data for performance under another contract with NDRI for retrieval of VA donated brain tissue will be referenced as a comparison. Other contracts for brain tissue can be used for historical pricing.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

38 U.S.C. 8153(a)(3)(A) If the [health-care resource](#) required is a commercial service, the use of medical equipment or space, or research, and is to be acquired from an institution affiliated with the Department in accordance with [section 7302 of this title](#), including medical practice groups and other entities associated with affiliated institutions, blood banks, organ banks, or research centers, the Secretary may make arrangements for acquisition of the resource without regard to any law or regulation (including any Executive order, circular, or other administrative policy) that would otherwise require the use of competitive procedures for acquiring the resource.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

NDRI is a unique institution in supplying human biospecimens to scientists in academic, corporate and independent research organizations throughout the world.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

None.

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:

The VA Research Team will continue to monitor the existing brain banks to determine if the availability of extant control brains should change.

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.

BERTRAND R. HUBER 424483

Digitally signed by BERTRAND R. HUBER
424483
Date: 2018.09.17 15:17:20 -04'00'

Date

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.

Vicki L.
Clements
190253

Digitally signed by Vicki
L. Clements 190253
Date: 2018.09.20
08:28:35 -04'00'

Name

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.

Name

Date