

DEPARTMENT OF VETERANS AFFAIRS

**FAR 8 – Justification for Limiting Sources (LSJ)
For
Limiting Sources (<SAT)**

Acquisition Plan Action ID: 36C246-19-AP-4757

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 06, Durham VA Medical Center
NCO 06/RPO East PR# 558-19-4-105-1048
- 2. Description of Action:** Cryoplus Vapor Phase Starter Package, accessories, and ULT Freezer

Order against: ☒ FSS Contract Number: GS-07F-0636W

Name of Proposed Contractor: Franklin Young International, inc.
Street Address: 1042 N. Mountain Ave., Ste. 310
City, State, Zip: Upland, CA, 91786
Phone: (909) 931-5013

3. Description of Supplies or Services:

The estimated value of the proposed action is \$ 27,758.73

For the procurement of The Cryo Plus 2, 120V with thirty 2” box racks, hot gas bypass and riser is a cold storage system that utilizes liquid nitrogen to cold store specimens. The storage system has a top mounted control panel to allow for easy access and has a microprocessor controller for programming. The temperature uniformity will store our research lab samples at the -180 degree Celsius that is required. The storage system has the required temperature settings for research samples, safeguard monitor to provide a continuous LED readout of liquid nitrogen, activates visual and audible alarms when levels fall below safe range, advanced vacuum insulation minimizes liquid nitrogen evaporation and reduces operating costs, lockable lids, and stainless-steel racks

4. Authority:

ORDER AGAINST FSS: Authority of the Multiple Award Schedule Program, Title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251, et seq.); Title 40 USC 501, Services for Executive Agencies; and Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and implemented by [FAR 8.405-6](#). Mark the applicable exception:

☐ **An urgent and compelling need exists**, and following the procedures would result in unacceptable delays([FAR 8.405-6\(a\)\(1\)\(i\)\(A\)](#));

☐ **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; ([FAR 8.405-6\(a\)\(1\)\(i\)\(B\)](#));

☐ In the interest of economy and efficiency, the new work is **a logical follow-on** to an original Federal Supply Schedule order and the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. **The original order was not previously issued under sole-source or limited-sources procedures** ([FAR 8.405-6\(a\)\(1\)\(i\)\(C\)](#)); or

☒ **Items peculiar to one manufacturer.** An item peculiar to one manufacturer can be a particular brand name, product, or a feature of a product, peculiar to one manufacturer). A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer ([FAR 8.405-6\(b\)](#)).

5. **Rational/explanation to support cited authority:** The scientist's that are currently using these products have conducted a thorough search of like or comparable systems to the CryoPlus 2. The features and specifications of this apparatus provide the best and most relevant components needed to address the needs of research. Sources sought did not yield any equal to products available. The products requested are proprietary technology of Fisher Healthcare. Through market research the CS found 1 SDVOSB Franklin Young able to meet the Governments need and they have a GSA contract. Therefore, it is in the best interest of the Government to procure through Franklin Young GSA contract.
6. **BRAND NAME ONLY:** This buy is estimated to exceed \$25,000 and this documentation will be posted along with the RFQ on e-Buy, as required by [FAR 8.405-1\(e\)](#).
7. Note that this determination satisfies the requirements of [FAR 8.405-6](#). The requirement to prepare a written justification [IAW FAR 6.303](#) does not apply to Federal Supply Schedules.

Contract Specialist

Branch Chief - Supervisor