

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: 36C246-19-AP-4270

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 06, Hampton Medical Center, 2237 # 637-20-1-167-0012
- 2. Description of Action:** The Asheville VAMC requires a sole source delivery order for the delivery of blood bank reagents compatible with the Immucor Echo System.

Order against: ☒ FSS Contract Number: V797D-70110

Name of Proposed Contractor: Immucor, Inc.
Street Address: 3130 Gateway Drive
City, State, Zip: Norcross, GA 30071
Phone: 770-280-6577

3. Description of Supplies or Services:

The Asheville VAMC Blood Bank requires a standing order for reagents compatible with the Immucor Echo Transfusion Service Automates Analyzer.

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:** This requirement is being requested as a Brand Name Only for the Immucor Blood Bank reagents. The reagents are only compatible with the analyzer that is currently in place and no other products can be utilized. The Transfusion Services where the analyzer is used is considered a critical area of the hospital and requires adequate supplies to meet the need of our patients on a daily basis. A sources sought notice was posted on FBO and GSA eBuy from 9/11/2019-9/16/2019 and received one response from the manufacturer, Immucor, Inc. A FPDS search showed that these items have only been purchased from Immucor, Inc. The program has a history of utilizing the Echo System and requires the compatible reagents for daily operation. Immucor Inc. is not only the OEM but the sole distributor of the proprietary products needed.
6. 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.

Daleta Coles
Contract Specialist

John Harmsen
Contracting Officer