

**Solicitation Number:**

VA240-13-R-0029

**Notice Type:**

Award

**Contract Award Date:**

February 19, 2013

**Contract Award Number:**

VA240-13-C-0020

**Contract Award Dollar Amount:**

\$120,000.00

**Contract Line Item Number:**

CLINS 0001- 0004

**Contractor Awarded DUNS:**

949114925

**Contractor Awardee:**

Phoenix Research Laboratories

6920 Koll Center Parkway, Suite 219

Pleasanton, CA 945663105

**Synopsis:**

Contract VA240-13-C-0020 was awarded to Phoenix Research Laboratories on 02/19/2013 for \$120,000.00

**Contracting Office Address:**

323 North Shore Drive, Suite 500

Pittsburgh, PA 15212

**Point of Contact(s):**

Cheryl Homison 412-822-3493

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:**  
Department of Veterans Affairs  
SAO East  
323 North Shore Drive, Suite 500  
Pittsburgh, PA 15212
2. **Nature and/or Description of the Action Being Processed:** SAO East intends to negotiate on a sole source basis with Phoenix Research Laboratories, Inc. for a Micron III Retinal Imaging System. This system is for South Texas Veterans Health Care System (STVHCS), San Antonio, Texas for mice and rats for ' . This system is used in direct connection with his approved research project entitled "Novel Imaging Technologies for Early Diagnosis of Retinal Disease" in Research Service located at the
3. **Description of Supplies/Services Required to Meet Agency's Needs:** Vendor will provide a Micron III Retinal Imaging System and accessories. The estimated aggregate cost of this service is \$120,000.00.
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 (a) (ii), 10 U.S.C. 2304(c)(3) 9 (B), 41 U.S.C. 253(c)(3) (B).  
☐ ( ) (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;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (Applicability of Authority):** There are nearly one hundred Micron III units in use at this time and in key locations in Asia, North America and Europe; of note for example that these sites include Harvard, Stanford, UC San Francisco, and so forth. The Micron has played an enabling role in breakthrough research including of significant note demonstrating a means to detect Alzheimer's disease in the retina of ALZ mice and demonstrating the treatment of blindness in rats using Stem cell therapy. A survey of exhibitors for the annual meeting of the Association for Research in Ophthalmology and Vision (ARVO) clearly reveals that Phoenix is the only enterprise whose mission is to support eye research using small animals with advanced technology.

6. **Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as Deemed Practicable:** In accordance with VAAR Part 805.202 this contract action shall be synopsisized, as it meets the criteria of VAAR Part 806.302-1.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The contracting officer will verify the cost of the equipment proposed by the vendor to be fair and reasonable by utilizing FAR Part 15 and 31.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** This technology is based on the Micron III retinal imaging system for mice and rats. It is the only in vivo system of its kind. It provides a unique capability to deliver bright field, fluorescence, and fluorescent images in vivo with quick switching between modalities. The system can be equipped with objectives for either mice or rats. Of great interest, this technology serves as a platform for other significant research modalities. To date, Phoenix Research Laboratories has provided optional attachments for anterior segment imaging, image guided laser photocoagulation, image guided focal erg with Ganzfeld to be provided shortly, and, image guided OCT with two micron resolution.

Market research was conducted and this again can be quickly obtained from looking at the technology exhibitors at ARVO. Second, a search of the journal IOVS can show that the Micron, while a new technology, has been able to enable reportable studies.

There are absolutely and definitively no devices with this integrated capability. For example, prior to this device, workers used a hand held human retinal camera manufactured by the Kowa Corporation and in conjunction with a hand held ophthalmoscope lens and were able to obtain narrow field images but of quite limited quality. There are no reported images of green fluorescent protein and the field of view is 1/4 the area of the Micron and the resolution likely 50 microns versus the Micron at 4 microns.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Prior to the Micron, the means for analyzing the rodent eye was primarily to sacrifice the animal, enucleate the eye, and then remove the retina and mount it on a slide. This has been a substantial impediment for research as longitudinal studies were then not possible. A second approach was to attempt to fabricate ad hoc means to use clinical instruments. Given that the diameter of the human eye is 25mm and that the diameter of the mouse eye is 3mm, these attempts do not produce optimized results or simply do not work and are always expensive.
10. **Listing of Sources that Expressed in Writing an Interest in the Acquisition:** Phoenix Research Laboratories, Inc.; 6920 Koll Center Pkwy, Suite 219; Pleasanton, CA 94566; 1-925-485-1100, DUNS #949114925.
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 equipment**

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 equipment required:** A sources sought announcement was posted for this requirement, and no responses were received. Accordingly, the contracting officer is pursuing this requirement as a soles source requirement.
12. **Requirements Certification:** I hereby 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.

\_\_\_\_\_  
Date 12/20/2012

13. **Approvals in Accordance with FAR 6.304:**

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

\_\_\_\_\_  
Date 12/20/2012

- b. **Supervisory Contracting Officer's Certification:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Date 12/20/2012

- c. **NCM/PCM:** I certify the justification meets the requirements for other than full and open competition.

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Date 1/4/13