

**Justification and Approval
For Other than Full and Open Competition**

1. Contracting Activity: This Justification and Approval (J&A) for Other than Full and Open Competition is executed by Strategic Acquisition Center- Frederick, in Frederick, MD, on behalf of the Department of Veterans Affairs (VA), Veterans Affairs Veterans Health Administration (VHA).

2. Description of Action: Orlando VA Medical Center proposes to negotiate a noncompetitive award for SP Scientific Histochill, Tissue Freezing Bath [REDACTED]
[REDACTED]

3. Description of Supplies or/Services: This equipment is used to rapidly freeze surgically removed tissue specimens in order to prepare thin sections for rapid diagnosis and interoperative consultation by a pathologist. The instrument freezes at temperature range of 0C to -80 degrees celcius using a digital control. The instrument includes a magnetic stirrer and heat transfer liquid. The salient characteristics include temperature Indication: 0.1C Stability +/- 0.5C, solid state speed control Magnetic Stirrer, Bath Chamber: 5" Dia x 5" Depth (useable), Vortex Breaker, Stainless Steel Chamber Material, Liquid Capacity: 1.5 L, hinged lid, Cabinet: 13" W x 25"D x 19" H, Height to work surface: 13.5" Electrical: 120V/60Hz/15A, Weight: 96 lbs. The total estimated value of the equipment is \$[REDACTED] to include the Histochill Freezing Bath for \$[REDACTED] and Heat Transfer liquid for \$[REDACTED] with shipping and handling of \$[REDACTED]

4. Statutory Authority:

The statutory exception permitting other than full and open competition for this acquisition is: 41USC 253(c)(5), by FAR 6.302-1(c) Only one source and No other Supplies will satisfy Agency Requirements;

5. Demonstration of Contractor's Unique Qualifications:

This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. The equipment will be used to safely freeze specimens in a contained system. Because it's mechanically refrigerated there is no need for storing, crushing and handling hazardous and expensive dry ice or the need to transport and handle hazardous liquid nitrogen. The liquid medium allows for rapid and thorough freezing minimizing ice crystal formation that occurs during slow freezing in a cryostat or other freezer. The freezing temperature is controlled. Market research determined there is no other product available with these features.

6. Description of Efforts to Obtain Competition: The ordering activity will post the justification along with the Request For Quotation to e-Buy in accordance with FAR 8.405-6(b)(3)).

7. Determination of Fair and Reasonable Prices:

8. Market Research: Multiple laboratory supply vendors were contacted directly by an OVAMC laboratory representative in the initial research. An internet search was also conducted. SP Scientific was the only manufacturer identified in the research. Subsequently, a contractor for the OVAMC, MEMdata, and a VA contract specialist solicited for "brand name or equal" and received no quotes. It was determined there is only one manufacturer of this equipment.

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