

JUSTIFICATION AND APPROVAL OTHER THAN FULL AND OPEN COMPETITION

1. Identification of the agency and the contracting activity.

This justification is executed by the Naval Medical Research Command (NMRC), Silver Spring, MD, on behalf of the Navy to meet Navy Expeditionary Medical Research requirements.

The contracting activity is Life Technologies Corporation, North American Sales and Service Attn: Service Contract Administration, Mailstop: PLE C-1, 5781 Van Allen Way, Carlsbad, CA 92008; Tel: 1-800-955-6288, option 3,3; Fax: 1-925-426-2051; Email: service.sales@thermofisher.com.

2. Nature and/or description of the action.

A total maintenance plan, with 1 option year needs to be set up for an Applied Biosystems QuantStudio 5, a model of qPCR instrumentation. Service needs to be performed on equipment on at least an annual basis and additionally if problems arise to ensure proper functioning and safety of users for viral and Rickettsial diseases sequencing procedures. Vendors need to be able to provide technicians that are qualified and able to perform service and maintenance on Applied Biosystems equipment and qPCR instrument. More specifically, the vendors need to be able to the service need of our Applied Biosystems QuantStudio 5.

3. Description of Supplies or Services:

The need is for a vendor that can provide technicians that are qualified to perform service and maintenance, on Applied Biosystems QuantStudio 5. In addition, the vendor needs to be able to include a base year, with one (1) option year.

4. Identification of the statutory exceptions permitting other than full and open competition.

The statutory exception permitting other than full and open competition for this acquisition is 10 U.S.C. 2304(c)(1) and FAR 6.302-1 sole source (including brand name) acquisitions or FAR 13.106-1(b)(1) soliciting from a single source.

5. Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

Life Technologies Corporation acquired Applied Biosystems, the original equipment manufacturer (OEM) of the QuantStudio, in 2020. Since then, Life Technologies Corporation has sold and offered maintenance plans for their qPCR equipment. Life Technologies does not authorize any third-party service provider to perform maintenance and repair on Life Technologies instruments, is the only manufacturer authorized service provider for AB instruments. Life Technologies maintains IP rights to its collection software and service tools

software, and third party resellers and service providers are strictly prohibited from accessing, using or selling this software.

6. Description of efforts made to ensure that offers are solicited from as many potential sources as practicable.

Efforts were conducted by contacting various maintenance service vendors, including the OEM and GSA Advantage. A total of 3 vendors were contacted and provided a response.

7. Determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

The Contracting Officer shall determine the anticipated cost to the Government of the supplies/services covered by this Justification and Approval will be fair and reasonable by conducting a price analysis before an award is made. In addition, the Government anticipates that the negotiated contract price will reflect a discount from the **Life Technologies Corporation acquired Applied Biosystems's** commercial price list and will be determined fair and reasonable.

8. Description of the market survey conducted and the results, or a statement of the reasons a market survey was not conducted.

A competitive search was difficult to perform, as other vendors ([REDACTED]) were not able to or authorized to service this Applied Biosystems QuantStudio 5 instrumentation/equipment from Life Technologies (Applied Biosystems)/this OEM. Though, GSA Advantage holds a service contract with the OEM of this equipment, it only offers the service at a higher cost as single base year and with no AB Assurance 1PM Plan in case the specialist failed to show up for the service. In summary, only one vendor, the OEM Life Technologies Corporation, was found to offer the AB Assurance 1PM Plan and one (1) option year for the Applied Biosystems QuantStudio 5.

9. Other facts supporting the use of other than full and open competition.

None

10. Listing of Sources, if any, which expressed, in writing, an interest in the acquisition.

Formal communication with the vendor was via e-mail and phone.

11. Statement of actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

Not applicable.

12. Point of Contact:

The point of contact at the Naval Medical Research Command, Silver Spring, MD, regarding the contents of the sole source justification are the Contracting Officers in the Material Management Department (MMD) and can be reached by emailing usn.detrick.nmrc.mbx.mmd-contracts@health.mil.

TECHNICAL AND REQUIREMENTS CERTIFICATION REQUIRED BY NAVSUP 4200.83 series

I certify that the facts and representations under my cognizance which are included in this justification and approval and which form a basis for this justification are complete and accurate.

Technical Cognizance

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Department/Command		

Requirements Cognizance

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CONTRACTING OFFICER CERTIFICATION

I certify that this justification is accurate and complete to the best of my knowledge.

CARTER.SHAMA
I.M.1624726649

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Date: 2025.02.18 11:56:10 -05'00' (301) 319-7185

2/18/2025

Contracting Officer	Phone	Date
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