



JUSTIFICATION FOR SOLE SOURCE PROCUREMENT (OPEN MARKET OR GSA) UNDER \$250,000

Sole source acquisitions may be used on a limited basis and only when the Contracting Officer's Representative (COR)/Program Official has provided sufficient justification and the Contracting Officer has determined that the circumstances warrant such action. The content for a justification must contain detailed facts and rationale to justify the sole source acquisition. Soliciting from a single source must be done in accordance with FAR 13.106-1(b) or 8.405-6. At a minimum, the following information must be included:

Identification of Program Office, Contracting Activity, and Proposed Requirement, Justification and Program Office Certification:

A. Program Office:

Centers for Disease Control and Prevention
Division of Vector-Borne Diseases
3156 Rampart Road
Fort Collins, CO 80521

B. Contracting Activity:

Centers for Disease Control and Prevention
Office of Acquisition Services
2920 Brandywine Road, Mail Stop K-69
Atlanta, GA 30341

C. Identification of Requirement:

1. Nature of Action to be Approved by Contracting Officer:
 - a. Sole source acquisition of: BioTek 405 TS Microplate Washers (Qty. 3)
 - b. Procurement Request (PR) Number (if available): 00HCVLJB-2023-78775
2. Proposed Vendor and Estimated Procurement Amount (if available):
 - a. Proposed Vendor: Agilent Technologies,
 - b. Estimated Procurement Amount:
3. Is the requirement on GSA Schedule? ☒ Yes ☐ No
If yes, provide schedule number: GS-07F-0564X

D. Justification:

1. The justification for this non-competitive action is:
☐ In accordance with FAR 13.106-1(b)(1), "only one source [is] reasonably available" which states that, "For purchases not exceeding the simplified acquisition threshold. (i) Contracting officers may solicit from one source if the contracting officer determines that

the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization). (ii) Where a single source is identified to provide a portion of a purchase because that portion of the purchase specifies a particular brand-name item, the documentation in paragraph (b)(1)(i) of this section only applies to the portion of the purchase requiring brand-name item. The documentation should state it is covering only the portion of the acquisition which is brand- name."

- ☐ Urgency
- ☐ Exclusive licensing agreements/Proprietary data
- ☐ Brand name required
- ☐ Industrial mobilization
- ☐ Other (e.g., compatibility, space issues, continuity, compatibility, etc.)

- ☒ In accordance with FAR 8.405-6 "Limiting Sources" which states that, "the only circumstances that may justify the action are – (A) An urgent and compelling need exists, and following the procedures would result in unacceptable delays; (B) 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; or (C) In the interest of economy and efficiency, the new work is a logical follow-up to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original BPA must not have been previously issued under sole-source or limited-sources procedures."

- ☐ Urgency
- ☒ Only One Source
- ☐ Logical Follow Up

2. Other facts supporting sole source procurement:

- a. What can this product/service do that other products/services cannot do?

This procurement request is for three BioTek Microplate Washers. These plate washers are used for a variety of assays, including cell assays and magnetic bead-based assays. The built-in ultrasonic cleaning process cleans buildup in the manifold tube automatically, without having to remove it from the instrument. Any clogs are automatically detected, as well as wastewater and fluid flow detection. Additionally, these plate washers are the exact model that fit in a small footprint in the exact biosafety cabinet dedicated space that will be housing these pieces of equipment (overall plate washer dimensions: 14" W x 17" D x 10" H (35.6 x 43.2 x 25.4 cm)). These plate washers wash a full 96-well plate at one time (8- or 12-well strip washing is unacceptable), are able to automatically switch up to 4 buffers at a time, contain magnet accessories for biomagnetic separation workflows to ensure high bead recovery during microsphere-based assay testing procedures, and contain angled dispense tubes, along with adjustable aspirate/dispense rates, to ensure the integrity of delicate cell monolayers during cell-based assay testing procedures.

- b. What other products/services were considered and why did they not meet the need?

Other products/vendors were not considered. The plate washers are GSA items through Agilent Technologies that will replace an older instrument of the same model. The same model is needed to maintain the workflows and protocols already established in the laboratory.

3. Program Office efforts to seek potential offerors:

No other companies or third-party vendors offer the same technology and specifications that are being sought in this purchase request. This includes the system that can be used for magnetic bead-based assays.

E. Program Office Certification:

I have reviewed this sole source justification and certify the justification is true and accurate to the best of my knowledge and adequate to support other than full and open competition.

Center/Institute/Office COR/Program Official Name/Title: [Click here to enter text.](#)

Center/Institute/Office COR/Program Official Signature: _____

Craig M. King -S

Digitally signed by Craig M.
King -S
Date: 2023.06.05 15:23:07
-06'00'

Certification Date: [Click here to enter a date.](#)

F. Contracting Office Certification:

I have fully relied on the information provided herein and hereby certify that this justification is accurate and complete to the best of my knowledge and belief:

Contracting Officer Name:

[Click here to enter text.](#)

Contracting Officer Signature: _____

Kristopher
Lemaster -S

Digitally signed by Kristopher
Lemaster -S
Date: 2023.07.27 12:09:57 -04'00'

Certification Date: [Click here to enter a date.](#)