



**DEPARTMENT OF THE NAVY**  
 NAVSUP FLEET LOGISTICS CENTER  
 YOKOSUKA  
 PSC 473 BOX 11  
 FPO AP 96349-0011

J&A Number: YOK \_\_\_\_\_

(CLASS) JUSTIFICATION AND APPROVAL  
 FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity

NAVSUP Fleet Logistics Center Yokosuka (FLCY), Japan

2. Description of the Action Being Approved

The action being approved is the award of a contract on a sole source basis for Maintenance services for Nucleic Acid Testing system in US Naval Hospital Okinawa. This is Tigris Instrument Service and Support for PROCLEIX TIGRIS Nucleic Acid Testing (NAT) system, model number: 105226 located in Blood Center of US Naval Hospital Okinawa. This will be an annual contract with three (3) option years.

3. Description of Supplies/Services.

The requirement is for the procurement of Tigris Instrument Service and Support. This includes technical support via telephone, e-mail, or on site provided by service specialists in Tokyo Japan and on site instrument service repair and maintenance (twice annually) from engineers based in Australia. Preventive Maintenance will be coordinated with Contracting Officer Representative.

Estimated Dollar Value

Base YEAR	Option Year One	Option Year Two	Option Year Three		Total
\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00		\$600,000.00

4. Statutory Authority Permitting Other Than Full and Open Competition

- 10 U.S.C. 2304(c)(1), One source or limited sources
- 10 U.S.C. 2304(c)(2), Unusual and compelling urgency
- 10 U.S.C. 2304(c)(3), Industrial mobilization; engineering, developmental, research capability; or expert services
- 10 U.S.C. 2304(c)(4), International agreement
- 10 U.S.C. 2304(c)(5), Authorized or required by statute
- 10 U.S.C. 2304(c)(6), National Security

5. Rationale Justifying Use of Cited Statutory Authority

Novartis Vaccines and Diagnostic, Inc is the sole manufacturer of the PROCLEIX TIGRIS Nucleic Acid Testing (NAT) system. They are the only source who has the capability to service this system and provide original OEM specification and parts. Engineer and technical support specialists who work on the PROCLEIX TIGRIS Nucleic Acid Testing (NAT) system must be certified and trained at the training site in Novartis Vaccines and Diagnostic, Inc. The training is only available to their employees and authorized persons. The incumbent, Novartis Vaccines and Diagnostic (HK) Limited is the branch office of Novartis Vaccines and Diagnostic, Inc. who provide maintenance services for Asia Pacific Region.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable

An internet search was conducted and there are no authorized companies that can provide maintenance and repair services. Requirements for the captioned maintenance services were publicized in eBUY for the period of 28-June-12 to 05-Jul-12 and no response was received. Moreover, Solicitation has been posted in ASIANECO for the period of 25-Aug-2011 to 26-Sep-2011 and there is no response apart from the incumbent. Contract was awarded to Novartis Vaccines and Diagnostic (HK) Limited without competition.

7. Determination of Fair and Reasonable Cost

Tigris Maintenance was previously provided to Great Plains Regional Contracting Office for US\$70,000 and with USNH Okinawa for US\$140,000 last year. The cost difference is due to Marine Corps Base new requirement (implemented March 2010) barring citizens of twenty one (21) countries access to the base. Previous contract from Novartis Vaccines and Diagnostic (HK) Limited provided technical support from two individuals from Hong Kong (which is on the barred list). New quote includes cost of support from Australia.

8. Actions to Remove Barriers to Future Competition

An internet search was conducted and there are no authorized companies that can provide maintenance and repair services. Until another company presents itself, Novartis Vaccines and Diagnostic, Inc. is the only recognized supplier of analyzer and Tigris System approved by the Food and Drug Administration and the Navy Blood Program Office. NAVSUP Fleet Logistics Center Yokosuka has no plans at this time to compete future contracts for the type of services covered by this document. However, FLCY will post the solicitation in ASIANECO before awarding the contract and will publicized the requirement in eBUY prior to exercising the option year. Once another potential source emerges, FLCY will assess whether competition for future requirements is feasible.

(A SEPARATE SIGNATURE PAGE SHALL BE USED FOR CERTIFICATIONS, LEGAL CONCURRENCE AND ASN(RDA)/NAVSUP ED APPROVAL AS LONG AS THE SIGNATURE PAGE CONTAINS THE J&A NUMBER IN THE UPPER RIGHT HAND CORNER)

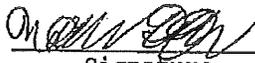
J&A Number: \_\_\_\_\_

**CERTIFICATIONS AND APPROVAL**

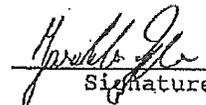
**TECHNICAL/REQUIREMENTS CERTIFICATION**

I certify that the facts and representations under my cognizance which are included in this justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:

      Marcus Shupelev      643-7737      11 Jul 12  
Signature      Name (Printed)      Phone No.      Date

Requirements Cognizance:

      Yasuhiko Gibo      643-7737      11 July 2012  
Signature      Name (Printed)      Phone No.      Date

[If a single individual has cognizance over both technical and requirements information included in the J&A, use of only one signature line is encouraged (Technical Cognizance and Requirements Cognizance may also be deleted).]

**LEGAL SUFFICIENCY REVIEW**

I have determined this justification is legally sufficient.

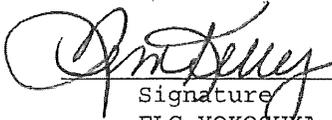
      MARK W. GOLDEN      DSN 243-7764      6 July 2012  
Signature      Name (Printed)      Phone No.      Date

**CONTRACTING OFFICER CERTIFICATION**

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

      PHILIP YIP      852-2802-9804      16-Jul-2012  
Signature      Name (Printed)      Phone No.      Date

COMPETITION ADVOCATE CONCURRENCE

	<u>Teresa Kelly</u>	<u>421-2560</u>	<u>20 Jul 12</u>
Signature	Name (Printed)	Phone No.	Date
FLC YOKOSUKA COMPETITION ADVOCATE			

APPROVAL REQUIRED BY FAR 6.304 (SEE FAR 6.304 FOR APPROVAL OFFICIAL)

Upon the basis of the above justification, I hereby approve, as Senior Procurement Executive of the Navy, the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304 (c)(1) (provide appropriate citation).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date