

**DETERMINATION AND FINDINGS  
FOR A  
SOLE SOURCE PROCUREMENT**

**AGENCY:** Office of the Chief Medical Examiner

**CONTRACT NO:** RQ747364

**CAPTION:** Annual Maintenance and Troubleshooting on  
Toxicology Analytical Equipment

**PROPOSED CONTRACTOR:** Agilent Technologies

**FINDINGS**

**1. AUTHORIZATION:**

D.C Official Code 2-303.05 (a) (1), 27 DCMR 1702.3

**2. MINIMUM NEED:**

The Office of the Chief Medical Examiner has a requirement for maintenance and quality control services of their Agilent Technologies' toxicology analytical equipment. The Service requires currently certified technicians, certified Agilent replacement parts and current Agilent software upgrades.

**3. ESTIMATE REASONABLE PRICE:**

The estimated reasonable cost of the contract is \$90,000.00.

**4. FACTS WITH JUSTIFY SOLE SOURCE PROCUREMENT:**

Agilent is the sole manufacture of all the instruments, factory-recommended replacement parts and software upgrades/updates for the equipment. In addition, Agilent is the sole contract for factory authorized escalation services to resolve difficult problems, which include, escalation to Agilent's factory for expertise and possibly include replacement of an instrument, if deemed necessary by Agilent.

Obtaining replacement parts and maintenance though another vendor could cause the District to incur additional cost as the vendors have to obtain the required parts from Agilent and will undoubtedly mark up prices for profit. Additionally, if problems occur with replacement parts or service rendered, Agilent would have to perform a complete overhaul to return equipment to proper functionality.

All software upgrades and replacement parts are included in the service contract.

In addition, this requirement was posted on the OCP website for Notice to Intent to Award Sole Source Contracts for (10) days. However, no Response was received from the vendors.

Given this, it is the best interest of the District to continue maintenance and repair service with Agilent Technologies.

**5. CERTIFICATION BY AGENCY HEAD:**

I hereby certify that the above findings are true, correct and complete.

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Date

\_\_\_\_\_

Dr. Marie-Lydie Y. Pierre-Louis

**6. CERTIFICATION BY CONTRACTING OFFICER:**

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the sole source notice of Intent to Award a Sole Source Contract was posted on the OCP website and no valid responses were received regarding the posting. I recommend that the Assistant Director of Procurement approve the use of the sole source procurement method for this proposed contract.

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Date

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John. R. Dean  
Contracting Officer

**DERTERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it not feasible or practical to invoke the competitive bedding process under /section 303 of the District of Columbia Procurement Act of 1985 (D.C. Law 6-85: DC Office Code 2-303.03). Accordingly, I determined that the District is justified in using the sole source method of procurement.

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Date

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Courtney Lattimore  
Commodity Manager