

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

CONTRACT NO: RQ770930

CAPTION: T-Spot .TB Testing

PROPOSED CONTRACTOR: Oxford Diagnostic Laboratories

PROGRAM AGENCY: Department of Health, HIV/AIDS, Hepatitis, STD, and TB Administration (HAHSTA)

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304 and 1702

2. MINIMUM NEED: The Department of Health, HIV/AIDS, Hepatitis, STD and TB Administration (HAHSTA) is seeking a contractor to provide T-Spot.TB reagent kits. T-Spot is the only FDA approved TB test on the market that utilizes the ELiSPOT technology, which offers key advantages in test performance and simplicity.

3. ESTIMATED REASONABLE PRICE: \$21,945.00

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT: Oxford Immunotec, Inc., is the only national reference laboratory dedicated to T-SPOT.TB testing. T-SPOT.TB test utilizing samples shipped on an overnight basis and in accordance with the T-SPOT. TB package insert.

The T-SPOT®.TB test uses standard blood collection supplies, standard phlebotomy practices. The blood specimens are stable at room temperature up to 32 hours.

Oxford Immunotec provides specimen test kits that include a special validated shipping container to maintain a specific temperature range during storage and overnight shipping. Tests are run daily, with results reported 36-48 hours after the lab receives the specimen.

5. CERTIFICATION BY AGENCY HEAD:

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

Date

Dr. Mohammad N. Akhter, M.D., MPH
Director, Department of Health

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 notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that [no response was received] [the response received was rejected because _____]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Paula Isaacs-Walker
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer

INSTRUCTIONS FOR THE D & F FOR A SOLE SOURCE PROCUREMENT

1. AUTHORIZATION

D.C. Official Code §2-354.04; There is only one source for the required goods or services. Cite 27 DCMR 1304 and 27 DCMR 1702 as applicable.

2. MINIMUM NEED

Describe the program agency's requirement for a stated minimum need (scope of work) and time frame within which work must be performed. List in detail the precise nature and scope of the services or supplies required. The time frame must be justified in detail when sole source justification is time based.

3. ESTIMATED REASONABLE PRICE

The estimated price of the contract (the amount the contractor is anticipated to receive).

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT

Indicate the facts which establish that there is only one available source. This justification shall include an explanation of the proposed contractor's unique qualifications or other factors that qualify the proposed contractor as a sole source for the procurement. It shall also include a description of the market survey conducted and the results, or a statement of the reasons why a market survey was not conducted. If proprietary, follow 27 DCMR 1702.3.

5. CERTIFICATION BY AGENCY HEAD

The head of the program agency, by signature, certifies factually the findings.

6. CONTRACTING OFFICER CERTIFICATION

The contracting officer, by signature, certifies (1) factually the findings and recommends that an official with written delegated authority determines, by signature, that the use of the sole source procurement method is justified, and (2) that the notice of intent to award a sole source contract was published and that no viable response was received. The contracting officer must state that either no response was received or briefly explain why a response was not viable.

7. DETERMINATION

An official with written delegated authority determines, by signature, that the use of the sole source procurement method is justified. The Chief Procurement Officer, or an official delegated authority in writing to sign on behalf of the Chief Procurement Officer, must sign the determination if the procurement is in excess of five thousand dollars (\$5,000).