

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

AGENCY: Department of Health (DC Health)
CONTRACT NO.: TBD
OFFEROR: Orasure Technologies Inc.
CAPTION: HIV Test Kits

FINDINGS

1. AUTHORIZATION:

DC. Official Code Section 2-354.04 and 27 DCMR Sections 1304, 1700, and 1701.

2. MINIMUM NEED:

The District of Columbia Office of Contracting and Procurement, on behalf of Department of Health (DC Health), Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS), Hepatitis, Sexually Transmitted Disease, and Tuberculosis Administration (HAHSTA) is seeking a contractor to provide OraQuick ADVANCE Rapid HIV-1/2 Antibody Test kits. An indefinite quantity of the OraQuick ADVANCE Rapid HIV-1/2 Antibody Test kits will be procured.

The period of performance shall be for one year from the date of award.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated reasonable price shall not exceed \$600,000.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

A. The OraQuick ADVANCE Rapid HIV-1/2 Antibody Test is a FDA-approved oral rapid test that require low-resource settings for patients that may not go to a clinic for testing. This simple and accurate test is ideal for screening programs in public health and outreach settings, emergency departments, laboratories and physician

offices. Centers for Disease Control and Prevention (CDC) guidelines call for routine testing in all healthcare settings to identify all HIV positive people and connect them to care. The key advantage of rapid HIV testing is that 100 percent of people may receive their results on the spot and can be linked to care.

- B. Orasure is the only rapid oral HIV test on the market that can deliver results in 20 minutes. This rapid testing technology has enabled individuals with HIV to become aware of their health status and to take appropriate precautions to preserve their health. The availability of oral fluid based rapid tests may also permit expansion of testing while reducing the biohazard associated with finger prick or venous blood draws. The use of Oral Fluid testing for HIV antibody testing has been researched since the 1980's and has recently been suggested as an alternative to the use of blood samples.
- C. OraSure is the sole source distributor of both the OraQuick ADVANCE Rapid HIV-1/2 Antibody Test (the "OraQuick Test") and OraQuick HCV Rapid Antibody Test kits/controls to Public Health Departments. These products are not available for resale or distribution to Public Health Departments from any other source, including web sites. Sales of these products by other vendors are not authorized by OraSure Technologies, Inc.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

LaQuandra S. Nesbitt, MD, 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 recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Dorothy Hale
Contracting Officer

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Contracting and Procurement



Date

Wil Giles
Chief 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

George Schutter.
Chief Procurement Officer