

**DEPARTMENT OF VETERANS AFFAIRS  
JUSTIFICATION AND APPROVAL  
FOR  
OTHER THAN FULL AND OPEN COMPETITION**

1. **Contracting Activity:** Department of Veterans Affairs (VA)  
Network 23 Contracting Office (NCO 23)  
708 3<sup>rd</sup> Street, Suite 200  
Minneapolis, MN 55415  
2237: #568-14-1-3211-0003

2 **Nature and/or Description of the Action Being Processed:**

The proposed acquisition is for a twelve-month short term bridge Indefinite Delivery, Indefinite Quantity (IDIQ) type contract to provide Community Based Outreach Clinic (CBOC) Primary Care services to the approximate 502 Veterans currently enrolled by the Avera Winner Medical Clinic CBOC. The government anticipates issuing a long-term solicitation within this time period, which will be issued competitively. This 12-month contract will be awarded to the Avera Winner Medical Clinic, Winner SD, as sole source procurement to continue services during the solicitation time period.

3. **Description of Supplies/Services Required to Meet the Agencies Needs:**

The proposed acquisition is to provide CBOC Primary Care services to the approximate 502 Veterans currently enrolled by Avera Winner Medical Clinic CBOC. The estimated cost for this acquisition is \$180,000.00. The period of performance for this contract will be October 1, 2013 through September 30, 2014. Without the contracted services, the required medical care cannot be provided in the Winner, SD area.

The Government estimate was prepared based on historical data. The expired contract was also issued as a bridge sole source contract and awarded to Avera Winner Medical Clinic, Winner SD for required CBOC Outpatient Primary Care services.

4. **Statutory Authority Permitting Other than Full and Open Competition:**

The statutory authority permitting other than full and open competition is 41 U.S.C.253(c) (2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-2 entitled "Unusual and Compelling Urgency."

5. **Demonstrate that the Contractors Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above:**

It is our intent to negotiate and award a short-term contract for 12 months to ensure no break in services while the follow-on long term contract is being solicited. This contract is necessary to ensure continuity of direct patient care for Veteran patients. Avera Winner Medical Clinic currently manages and provides CBOC Outpatient Primary Care services for the VA Black Hills Health Care System. Clinic staff sees numerous VA patients per day, performing outpatient primary care services. A disruption in medical services would cause delays in medical care to VA patients of up to six months as they are integrated into commercial clinics, and result in a substantial increase in costs to the government from referring Veteran patients to commercial clinics and hospitals on a fee basis. Maintaining these services ensures CBOC Outpatient Primary Care Services for the VA Black Hills Health Care System for beneficiaries residing in this rural area.

Therefore, Avera Winner Medical Clinic is the only firm capable of providing the referenced services described in section 3 above without the Veterans Health Administration experiencing unacceptable delays in fulfilling its requirements.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable**

This short-term bridge contract will be conducted as sole source procurement with the incumbent contractor as this will prevent a break in care for our VA served Veterans residing in the Winner, SD area. The long-term contract will be a procurement using full and open competition procedures in accordance with FAR Part 15, Contracting by Negotiation and FAR Part 12, Acquisition of Commercial Items and under the authority of U.S.C. Code 8153.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

Fair and reasonable pricing will be determined in accordance with FAR 15.404-2. Pricing will be evaluated to be fair and reasonable based on a comparison to the Independent Government Cost Estimate, which is based on historical data of similar procurements.

**8. Description of the Market Research Conducted and the Results or a Statement of the Reasons Market Research Was Not Conducted:**

No market research was performed as this request is of an Urgent and Compelling nature and the incumbent contractor is the only source that can provide these services during this 12-month contract period.

**9. Any Other Facts Supporting the Use of Other than full and Open Competition:**

The required service specified in the Performance Work Statement is fulfilled by using the incumbent contractor to prevent interruption of services to Veteran patients.

**10. Listing of Sources that Expressed in Writing, an interest in the Acquisition:**

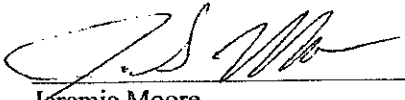
Not Applicable.

**11. A Statement of the Action, if Any, the Agency May Take to Remove or Overcome any Barriers to Competition Before Making Subsequent Acquisitions for the Supplies or Services required:**

The Government intends to solicit a long-term contract to meet this requirement in the next 12-months utilizing full and open competition procedures.

12. Requirements Certification:

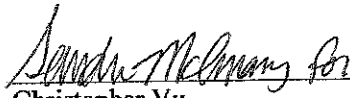
I certify that the requirement outlined in this Justification is a Bona Fide urgent need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification are accurate and complete to the best of my knowledge and belief.

  
Jeremie Moore  
CBOC Coordinator

6/26/2013  
Date

Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
Christopher Vu  
Contracting Officer

7/5/2013  
Date

- b. **PLCM:** I certify the justification meets requirements for other than full and open competition and I approve for Other than full and open competition.

  
Sandra McAnany  
Product Line Contract Manager, NCO 23

7/5/2013  
Date