

# DEPARTMENT OF VETERANS AFFAIRS

## Justification and Approval

For

### Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 12, Great Lakes Acquisition Center on behalf of the Clement J. Zablocki VA Hospital, Milwaukee, WI
2. **Nature and/or Description of the Action Being Processed:** A new firm fixed price contract for Wheelchair Transportation for outside Milwaukee County.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** To provide Wheelchair transportation services for Veteran beneficiaries receiving treatment outside of Milwaukee county as required. Wheelchair service is critical to Veteran beneficiaries that are physically or medically unable to provide their own transportation between facilities for medical appointments and treatment. This transportation also provides transportation from VA facilities to the Veteran's residence following appointments and treatment. Period of Performance 1 January 2014 through 31 March 2014. This action will be taken to ensure continuity of services.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - ( ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
  - (X) (2) Unusual and Compelling Urgency per FAR 6.302-2;
  - ( ) (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
  - ( ) (4) International Agreement per FAR 6.302-4
  - ( ) (5) Authorized or Required by Statute FAR 6.302-5;
  - ( ) (6) National Security per FAR 6.302-6;
  - ( ) (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Though the capabilities to provide wheelchair transportation services are available from contractors within the service area, Transtar Medical was previously the successful offeror and has the capabilities to provide services uninterrupted while a new competitive procurement is processed. Transtar Medical has operated within the requirements of the previous contracts with satisfactory performance and it is anticipated that this company will continue to provide services as required by the VA.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

Due to the urgency of the requirement to continue to provide Wheelchair transportation, solicitations will not be accepted at this time from other sources, however, a competitive longer term solicitation is anticipated in the near future.

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

I certify that the pricing is fair and reasonable as required by FAR 13.106-3 based upon the agreement of Transtar Medical to continue to provide services at the previously negotiated rates. The previous rates were those received in a competitive setting and were found to be fair and reasonable and in the best interest of the Government.

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

Market research has been conducted and it has been determined that multiple contractors are capable of providing the required Wheelchair transportation services required by the Clement J. Zablocki VA Hospital. Capable parties will be solicited in the competitive requirement that is forthcoming.

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

Urgency for continuity of services until a competitive solicitation is accomplished and a resulting contract is established requires other than full and open competition.

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

Multiple contractors have expressed interest in a longer term contract.

11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:**

It is anticipated that a competitive solicitation will be accomplished and a new contract will be established by the conclusion of the period of performance, whereby, ample implementation will ensure uninterrupted service.

12. **Requirements Certification:**

I certify that the requirement outlined in this justification is a Bona Fide 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.

Name Beth Ann Smith  
Title Program Manager  
Facility VAMC Milwaukee

Date

12/4/2013

13. 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.

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Ashley Johnson  
Contracting Officer  
GLAC

12/3/13  
\_\_\_\_\_  
Date

- b. NCM/PCM: I certify the justification meets requirements for other than full and open competition.

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Diane Brazale  
Deputy Network Contract Manager  
VISN/PCA 12

12-3-13  
\_\_\_\_\_  
Date