

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity:

Department of Veterans Affairs, Network Contracting Office (NCO) 21, Sierra Nevada Health Care System (VASNHCS), 975 Kirman Ave., Reno, NV 89502

Requisition No.: 654-15-1-168-0004 Transitional Housing for Sex Offenders

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

The VASNHCS anticipates entering into a sole source acquisition negotiation in accordance with FAR 13.106-(b) with Steps to New Freedom of Reno, Nevada for community-based residential services to veterans with sex offender status or that are justice involved. The Government intends to award a new firm fixed price contract for fiscal year 2015 (Oct. 1, 2014 – Sep 30, 2015.)

3. Description of Supplies/Services Required to Meet the Agency's Needs:

Contracted Emergency Residential Services (CERS) provides emergency housing and substance abuse treatment facilities to eligible veterans with a Tier 2 sex-offender status *or that are justice involved. Contractor will provide standard amenities and direct services to include: room & board, laundry facilities, care planning, recovery, medication management, case management, treatment, financial planning, group activities, permanent housing search, discharge planning, VA coordination and transportation.

*Note: The Sex Offender Registration and Notification Act (SORNA) is a federal mandate defining tiers of sex offenses and number of years to register as a sex offender

Tier I – nonviolent sexual offense with victim over the age of consent; 15 year registration

Tier II- nonviolent sexual offense with victim who was a minor; 25 year registration

Tier III-violent sexual offense, sexual offense with victim under 12 years, repeat offense of Tier II offender; lifetime registration

Contracting Officer's (CO) Cost Estimate: Placements will be made in emergency housing facilities based on the individual needs of the Veteran being served. This cost estimate is based on historical average usage for this residency program of 14 beds per night. (14 beds/night X 365 nights X \$120/bed = \$613,200) The period of performance is October 1, 2014 – September 30, 2014.

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

41 USC §253(c)(1), as implemented by FAR 6.302-1: Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

Steps to New Freedom provides sex offender treatment and transitional living to assist the veteran while they identify other housing options as there are limited housing options available to veterans who are registered sex offenders. Currently Steps to New Freedom is the only provider that the prison can release Tier 2 sex offenders to in Northern Nevada. The services provided are essential for veterans who have sex offenses who are eligible for parole as well as those who become homeless due to job loss, disability or other crisis.

A break in service would displace these Veterans which would prove detrimental and negatively impact the sex offender homeless Veteran population who require temporary housing in a safe and stable living environment. A break in service may cause veterans to be held in prison as there are no other programs or services in this area to meet the needs of these veterans. The VASNHCS has been placing Veterans at Steps to New Freedom for several years.

The Steps to New Freedom program has been successfully providing services to Veterans with registered sex offender status. Discontinuation of the current contract services will cause an unacceptable delay in fulfilling the agency's requirement defined in VHA Handbook 1162 pertaining to HCHV Contracted Residential Services "(1)Contracted Emergency Residential Services (CERS) programs target and prioritize homeless Veterans transitioning from literal street homelessness, those being discharged from institutions including those in need of medical respite, and Veterans who recently became homeless and require safe and stable living arrangements while they seek permanent housing.

CERS Programs, either directly or through linkage with community and VA services, provides time limited services such as supporting mental health stabilization, substance use disorder treatment services, enhancement of independent living skills, vocational and employment services. Emphasis is placed on referral and placement in permanent housing, or longer term residential programs utilizing VA and/or community resources. Lengths of stay in CERS typically range from 30 to 90 days with the option to extend based on clinical need."

Accordingly, Steps to New is the only firm capable of providing services described in Section III above without the Veteran's 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:

A sources sought for emergency housing for homeless veterans was posted to FBO on May 23, 2014 with a response date of May 30, 2014 to gain knowledge of potential contractors that are capable of providing these services. One response was received as a result; the responder however will not house Tier 2 sex offenders.

A notice of Intent to Sole Source will be published on FedBizOpps. Any responses will be referred to the Supervisor for the Health Care for Homeless Veteran (HCHV) Program to determine if additional sources capable of satisfying the agency's requirements exist.

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

As this service has been determined to be commercial, cost or pricing data will not be required. Pricing techniques such as described in FAR 15.404-1(b)(2) will be used to establish price fair and reasonableness.

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

As described in Section VI above, market research was conducted in accordance with FAR Part 10 with a synopsis of the proposed acquisition, advising industry of the pending acquisition and soliciting from interested parties. In addition all of the currently contracted emergency/temporary housing and substance abuse treatment facilities were contacted to determine if they would also house registered sex offenders. The results are as follows:

The City of Reno (Men's Drop in Center) will house registered sex offenders, their policy is not to turn anyone away. The prison however will not release a parolee in this facility.

Both Ridge House and Bristlecone Family Resources both are willing to house Tier 1 sex offenders on a case by case basis, offenders that are Tier 2 and above are referred to Steps to New Freedom. Both facilities provide substance abuse and other addiction treatments; however neither provides sex offense treatment.

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

All pertinent facts have been noted above.

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

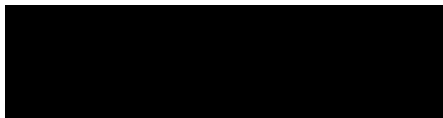
See Section VI above.

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:**

The procurement action will be posted to the Government Point of Entry (GPE). Any responses will be referred to the Supervisor for the Health Care for Homeless Veteran (HCHV) Program to determine if additional sources capable of satisfying the agency's requirements exist.

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.

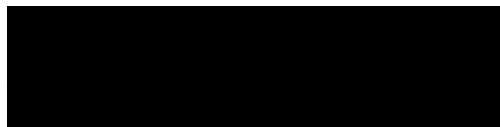


Elizabeth Pope
Supervisor, Health Care for
Homeless Veterans Program
VA Sierra Nevada Health Care System

08/29/2014
Date

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.



Tracy Worrell
Contracting Officer
Network Contracting Office (NCO) 21

8/29/2014
Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.



Claire K. Ursino, VHA-CM
Branch Chief, Medical Sharing 1

8/29/14
Date