

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04
Lebanon Medical Center (VAMC)
1700 S. Lincoln Ave. (Bldg 19)
Lebanon, PA 17042
Purchase Request No. [REDACTED]

2. **Nature and/or Description of the Action Being Processed:** The Lebanon VA Medical Center (LVAMC) Intends to award a six (6) month contract with Loyal Source Government Services for a board certified Otolaryngologist to provide Ear, Nose, & Throat (ENT) services for Veterans. [REDACTED] will have a Firm-Fixed-Price (FFP) pricing arrangement.
[REDACTED]

3. **Description of Supplies/Services required to meet the Agency's Needs:** The Lebanon VAMC is in need of a board certified Otolaryngologist to provide medical ENT services in the Lebanon VAMC outpatient and surgical clinic during normal clinic hours. The contractor shall provide an Otolaryngologist to provide coverage 8:00 a.m. – 4:30 p.m. Monday through Friday, excluding Federal Holidays. There may be weekends worked or on-call coverage required. Currently the VA has required that all Veterans be seen within thirty (30) days. This procurement is necessary to provide Veterans access to ENT healthcare within the mandated timelines.

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;
 - (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):** The proposed source is Loyal Source Government Services, LLC. The Lebanon VAMC did have a full-time Otolaryngologist, [REDACTED] who left the position in the summer. Active recruitment for this position is taking place. One (1) part-time Otolaryngologist who does not perform any surgeries is the only Otolaryngologist on staff currently. At this time, all ENT surgical cases are being referred to Philadelphia and Wilkes-Barre VA Medical Centers, or Non-VA care providers, which is costly to the government and inconvenient for the Veterans.

These types of medical locums are not always available. A board certified Otolaryngologist is required to perform ENT services at the Lebanon VAMC. Otolaryngologists are a specialty in the field of medicine that are extremely difficult to locate due to availability and credentials. Loyal Source Government Services is able to provide an Otolaryngologist that is not only board certified, but also meets the necessary education, experience, competencies, references, and lack of malpractice experience to meet and obtain VA credentialing standards and privileges. This need is vital to meeting the safety and well-being of our Veteran populations.

Without a contracted temporary Otolaryngologist, access for Veterans healthcare in the ENT outpatient and surgical clinics will continue to create patient dissatisfaction and inconvenience, impede continuity of care, cause loss of revenue due to non-VA care costs and fail to comply with the thirty (30) day mandate. The Lebanon VAMC cannot afford a delay in patient care. This proposed contract with Loyal Source Government Services would alleviate any delay in ENT service and ensure that Veterans maintain the continuity of care and provide the Lebanon VAMC with the ability to perform ENT surgical procedures.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: See Market Research Section, Paragraph 8.
7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable: Price analysis will be performed IAW FAR Part 15.4 to determine a fair and reasonable cost to the Government.
8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: No official Market research was performed for this effort due to the urgent nature of the requirement.
9. Any Other Facts Supporting the Use of Other than Full and Open Competition: VAAR 819.7007 allows the Contracting Officer to make sole source awards to SDVOSBs at the sole business discretion of the Contracting Officer. Loyal Source Government Services is a SDVOSB on their GSA FSS. Since the Otolaryngologist is not the FSS, the path of an open market buy was chosen per VAAR 819.7007. It was later discovered that Loyal Source was no longer a SDVOSB per a search in VIP/VET-BIZ and the Small Business Dynamic Search Database. Since the VAAR 819.7007 authority could no longer be utilized to make a directed award, and the urgency of this requirement, FAR 6.302-2 is being utilized.
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: None.
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: Should a follow-on requirement be needed, the Government will perform market research, inclusive of a Sources Sought Announcement (SSA). Competition will be encouraged if viable, and the next requirement will be competed.

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.

[Redacted Signature]

[Redacted Date]

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.

[Redacted Signature]

[Redacted Date]

Date

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

[Redacted Signature]

[Redacted Signature]

[Redacted Signature]

[Redacted Signature]

[Redacted Date]

Date