

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4
Lebanon VA Medical Center
1700 S. Lincoln Ave (Building 19)
Lebanon, PA 17042
Purchase Request #: [REDACTED]
2. **Nature and/or Description of the Action Being Processed:** The proposed action is a Firm-Fixed Price (FFP) contract to serve as a bridge for on-site Anesthesiology and Pain Management Services at the Lebanon VA Medical Center (VAMC). The proposed action will allow for the continuity of on-site Anesthesiology and Pain Management Services during the competitive acquisition of the follow-on contract. This contract is for Board Certified Anesthesiology Physicians to provide both Anesthesiology and Pain Management Services. The proposed Period of Performance for this action is a six (6) month base period.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The required services are for Board Certified Anesthesiology Physicians to provide on-site Anesthesiology and Pain Management Services to Lebanon VAMC beneficiaries. The Contractor shall provide 1.0 FTE to perform eighty (80) hours per pay period of Anesthesiology Services, 0.8 FTE to perform sixty-four (64) hours per pay period of Pain Management Services, and an Intermittent 1.0 FTE to cover Staff Anesthesiologist leave, which shall not exceed 80 hours/10 days during a six (6) month period. [REDACTED]
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (x) (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):** In accordance with FAR 6.302-1, there is only one responsible source and no other supplies or services will satisfy agency requirements. The proposed source for this action is Lebanon Anesthesia Associates, LTD., (LAA) located at 956 Isabel Drive, Lebanon, PA 17042. This bridge contract is sought to maintain the continuity of care for Veterans receiving anesthesia during surgery and pain intervention procedures for a period of six (6) months, January 1, 2015 – June 30, 2015, to allow for the competitive acquisition of the follow-on contract for these services.

LAA is currently performing anesthesiology and pain management services on a contract that was competitively awarded. The Board Certified Anesthesiology Physicians provided by LAA IAW the performance requirements of that contract are as follows: [REDACTED]

[REDACTED] These [REDACTED] are already registered in VetPro, fully trained on the VA's electronic medical record system (CPRS) and are familiar with the processes and procedures at the Lebanon VAMC. As such, there is no requirement for training or "ramp up" time necessary for the providers to immediately provide Anesthesiology and Pain Management Services. There will be the continuity of care that is so necessary to our Veteran population.

Although other potential sources may exist which can meet the requirement of providing anesthesiology and pain management services, it is anticipated that any other source would require a minimum of six (6) to eight (8) weeks transition time for credentialing, privileging and to pass the security and background investigation in order to commence contract performance. LAA is the only vendor that currently possesses the requisite credentialing, privileging and background checks that would allow them to begin performance on January 1, 2015. Since there would have been no break in service between the current contract and the bridge contract, these requirements do not need to be performed again. Due to the ongoing needs of the Veteran beneficiary population and patient care, the Lebanon VAMC needs to provide these Anesthesiology Services seamlessly, without disruption to the scheduling of patients and their necessary care. Doing so could result in increased health risks and possible serious injuries to Veterans. Failure to award this contract would require the cancellation of Surgical Services, which could result in the possible death of Veterans.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A synopsis for this contract was posted IAW FAR Part 5.201. All potential sources will be considered. Market research was not conducted for this requirement, due to the credentialing, privileging, and security reasons discussed in Paragraph #5. However, market research will be conducted for the competitive follow-on solicitation.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer will determine price reasonableness IAW FAR PART 15.4.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As stated in Paragraph #6 above, market research was not conducted for this proposed action market research will be conducted for the competitive follow-on solicitation.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** See Paragraph #5 above.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** As stated in Paragraph #6 above, a synopsis (Letter of Intent) was posted on the Federal Business Opportunities website. Two (2) sources expressed an interest in writing: [REDACTED] and [REDACTED]. The Contracting Officer followed up with both of these sources via e-mail and the telephone. [REDACTED] was not set up to do business with the Government at this time (i.e., registered in SAM, had a DUNS and Cage CODE, completed annual representations and certifications). This source was told that these needed to be done in order to be awarded a Federal Government contract. The Contracting Officer will retain this source.

Information and include them in the market research for the competitive solicitation of the follow-on contract. The second source, [REDACTED] was asking for the complete Scope of Work or an attachment that appeared to be missing from the synopsis. The Contracting Officer explained that the announcement was a Presolicitation Notice/Synopsis IAW FAR Part 5, which the source was not familiar with. The Contracting Officer followed-up and indicated that the source could send in a capability statement for a bridge contract, which the source did not do.

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: See #8 above.
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]

Lebanon VAMC

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.

- 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]

Contracting Officer
NCO4

- b. Director of Contracting /Designee (Required \$150K and above): I certify the justification meets requirements for other than full and open competition.

[REDACTED]

NCO/PCO 04 Director of Contracting or Designee
Lebanon VAMC