

**DEPARTMENT OF AFFAIRS**

**Justification and Approval (J&A)**

**For**

**Other Than Full and Open Competition (>150K)**

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, 708 S. Third Street, Suite 200E, Minneapolis, MN 55415, on behalf of the Fort Dodge CBOC, 2419 2<sup>nd</sup> Ave N, Fort Dodge, IA 50501.
2. **Nature and/or Description of the Action Being Processed:** Justification and approval for a new short term contract for Primary Care services at the Fort Dodge CBOC, on a sole source basis to TriMark Physicians Group. This is a justification for other than full and open competition. Award will be a firm fixed price contract. There is a current contract in place which expires on 10/31/2015.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** To provide a single Community Based Outpatient Clinic (CBOC) providing Primary Care services to Veterans primarily residing in Webster County, Iowa. Primary Care services include longitudinal outpatient medical care the purposes of prevention and detection of disease and subsequent management of medical conditions, for veterans deemed eligible. The care shall be provided by primary care providers who are board certified in Internal Medicine or Family Practice, with experience in the care of adult patients with multiple medical problems of high complexity and Physician Assistants/Nurse Practitioners who are nationally certified and licensed to practice within a primary care environment. The proposed CBOC, at a minimum, shall provide one standard of care that must be consistent, safe and of high quality. Additionally, the proposed CBOC is expected to comply with all relevant VA policies and procedures, including those related to quality, patient safety and performance. The CBOC must be poised to respond quickly to VA policy and procedure changes. Unless otherwise noted, hereafter within this document, singular terms such as "CBOC", "clinic" or "Contractor's facility" shall refer to the Fort Dodge Primary Care CBOC. The estimated value of the procurement will be \$443,456.00. The short term contract will be for a four (4) month base period, with an option to extend up to an additional six (6) months. Trimark Physicians Group is currently providing these services.
4. **Statutory Authority Permitting Other than Full and Open competition:**  
41 USC §253(c) (1), as implemented by FAR 6.302-1.  
(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;

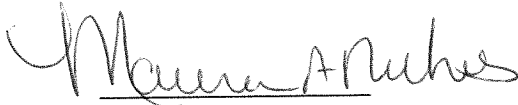
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of Authority Cited Above (applicability of authority):** There is not enough time to allow open competition of this requirement and maintain care to Veterans. There is a current contract in place with no extensions left to cover this requirement. The effective date for this interim contract must be November 1, 2015 due to these services being patient and mission critical. The VA cannot do without these services for the patients/Veterans. The incumbent service provider, TriMark Physicians Group, will continue the services under contract for the time being. This contractor has the resources (credentialed manpower, experience, physical location, technical/operational knowledge and computer system access) to perform these critical mission services for the short term contract. It is anticipated that a minimum of two hundred and twenty business days will be required to compete, procure and potentially transition the current workload to another contractor without disruption in services after a complete procurement package is developed by the Integrated Product Team (IPT).

It would not be practicable to complete an interim competitive contract for this shorter period due to the short timeframe needed to prevent a lapse in critical services. It would not be possible for other vendors to transition the current workload, credentialing and privileging without a significant disruption in services in the time required.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** N/A
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The Contracting Officer will determine the price fair and reasonable.
8. **Description of the Market Research Conducted and the Results, or Statement of the Reasons the Market Research Was not Conducted:** Current market research has determined that there are no additional vendors in the area that could provide the required services in the short term. The long term contract may have additional competition but the contractors would have to go through significant costs and credentialing to provide the service and it would not be feasible for the short term and immediate need for this requirement.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No other vendors have expressed interest in the acquisition, in writing or otherwise to date.
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:** An Integrated Product Team (IPT) was established and is working on the documentation required to release a long-term solicitation Inpatient Hemodialysis and Peritoneal Dialysis services contract for VA-CIHCS.

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.



Maureen A. Nichols  
CBOC Coordinator  
VACIHCS



Date

13. **Approvals in accordance with the 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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Julie A. Stout  
Branch Chief, Medical Sharing  
NCO23

\_\_\_\_\_  
Date

- b. **Director of Contracting/Designee (Required \$150K and above):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for other than full and open competition.

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Heather Dale  
Division 2 Chief  
NCO23

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Date