

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

1. Contracting Activity:

Department of Veterans Affairs, Network Contracting Office (NCO) 21, VA Sierra Nevada Health Care System (VASNHCS), 975 Kirman Ave., Reno, NV 89502
Requisition Number: 654-16-1-168-0001 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 13.106-1(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 2016 (October 1, 2015 – September 30, 2016.)

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 II 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 10 beds per night. (10 beds/night X 365 nights X \$120/bed = \$438,000.) The period of performance is October 1, 2015 – September 30, 2016.

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

41 USC §3304(a)(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 II 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 3 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 synopsis for HCHV Sex Offender Housing was posted to FBO on July 31, 2015 with a response date of August 14, 2015 to gain knowledge of potential contractors that are capable of providing these services. No response was received.

A notice of Intent to Sole Source will be published on FBO. 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 as described in FAR 13.106-3 (a)(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. However, the prison will not release a parolee to this facility.

Both Ridge House and Bristlecone are willing to house Tier I sex offenders on a case by case basis, offenders that are Tier II are referred to Steps to New Freedom. Both facilities provide substance abuse and other addiction treatments. However, neither provides sex offender treatment.

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

All pertinent facts have been noted above.

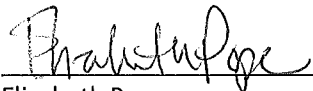
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

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:

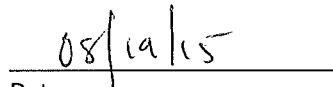
The procurement action will be posted to the Government Point of Entry. Any responses will be referred to the Supervisor for the Health Care for Homeless Veteran (HCHV) Program to determine if additional sources capable of satisfying the agency's requirement exist.

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



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

Date

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

Claire Ursino, VHA-CM
Branch Chief, Medical Sharing Branch 1
Network Contracting Office (NCO) 21

8/19/15.

Date