

**JUSTIFICATION AND APPROVAL
FOR
OTHER THAN FULL AND OPEN COMPETITION**

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, Station 618
Minneapolis VA Healthcare System Contracting Office
708 3rd Street, Suite 200
Minneapolis, MN 55415
2237 # 618-16-2-4002-0152 (Rao)

2. **Nature and/or Description of the Action Being Processed:** The proposed acquisition is for a firm fixed price contract for anesthesiology services through other than full and open competition procedures. The Government anticipates the award of a short term contract providing anesthesia services to the Minneapolis VA Health Care System (MVAHCS).

3. **Description of Supplies/Services Required to Meet the Agencies Needs:** The proposed acquisition is for an emergency eight-month contract beginning 2/1/2016. This contract has an estimated value of \$444,483 for eight-months. Total contract estimated not to exceed \$444,483. The Minneapolis VAHCS has a requirement for full-time anesthesiologist working an estimated 40 hours per week. Services are required of a board-certified anesthesiologist who is ACLS certified, with an active, current, full and unrestricted license in a State, Territory or Commonwealth of the United States or the District of Columbia.

4. **Statutory Authority Permitting Other than Full and Open Competition:** The statutory authority permitting other than full and open competition is 41 U.S.C.253(c) (2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-2 entitled "Unusual and Compelling Urgency."

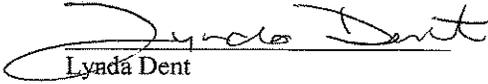
5. **Demonstrate that the Contractors Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above:** The Minneapolis VAHCS currently is in the solicitation/contract evaluation process for anesthesiology services under full and open competitive procedures. This contractor, Dr. Rao, is an incumbent contractor, previously awarded under full and open competition. The current contract is due to expire on 1/31/2016. It is anticipated that the solicitation process, proposal evaluations, negotiations, required reviews, background investigations and credentialing processes for a new long term contract will not be completed before the current contract expires. It is crucial to the operation of the Surgical Service to have anesthesiologist that are experienced and fully trained in the medical center's O.R. protocols, especially for complex surgical cases like open heart/by-pass surgery, in order to ensure the safety of our patients. The contractor will provide medical direction for CRNA's as well as personal administration of anesthesia for the full range of operative procedures including: administration of anesthetic agents, insertion of invasive hemodynamic monitoring catheters with ultrasound guidance, difficult airways using alternative intubating devices and advanced techniques in both emergent and non-emergent situations, utilization of multimodal analgesia and the placement of nerve blocks for post-op pain control, performance of pre-procedure patient assessments including review of the patient's electronic medical record and focused physical exam, intra-procedure monitoring and management of post-procedure recovery for both inpatients and outpatients. Anesthesiologist is preferred with Trans-Esophageal Echocardiogram (TEE) experience and with current experience using VA computerized patient record system (CPRS).
A locum tenens anesthesiologist would not be able to walk in the door and provide services due to the time elements for security/background checks, privileging and credentialing processes, plus the added learning curve time for training on Minneapolis VA Health Care System's OR surgical protocols. The typical case load for the Minneapolis VAHCS is approximately 500 cases per month. If contracted services of Dr. Rao are not awarded it will greatly disrupt the department to the extent that we will likely have to close 30% of our OR's at least until new long-term contractors are hired. Since this Anesthesiologist is proficient in the delivery of cardiac anesthesia as well as anesthesia for other complex, high-risk cases (a high percentage of what we do at this VA) he helps form the backbone of the department. Keeping this anesthesiologist until new long-term contracts can be awarded is critical to the safety of our patients and the provision of anesthesia services at the Minneapolis VAHCS.

6. **Description of Efforts made to ensure that offers are solicited from as many potential sources as deemed practicable:** The MVAHCS already has a competitive solicitation in progress for these services for a base + 4 options.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Fair and reasonable pricing will be determined in accordance with FAR 15.404-2. Pricing will be

evaluated to be fair and reasonable based on a comparison to the Independent Government Cost Estimate, and actual salary data. The negotiated salary for the anesthesiologist will be in line with salaries paid in prior contracts for these same services and on market prices from other community providers and professional society compensation survey information such as the Association of American Medical Colleges (AAMC) and the Medical Group Management Associations (MGMA).

8. **Description of the Market Research Conducted and the Results or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted in accordance with FAR Part 10 and is included as a part of the attached IGCE.
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:** None
11. **A Statement of the Action, if Any, the Agency May Take to Remove or Overcome any Barriers to Competition Before Making Subsequent Acquisitions for the Supplies or Services required:** No further action required
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.


Lynda Dent
AO Surgery/Specialty Care-PSL

12/8/15
Date

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.

Contracting Officer

Date

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

Charles Hurry
Product Line Contract Manager, NCO 23

Date