

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA256-16-AP-2253

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 16, Little Rock VA Medical Center, 2200 Fort Roots Drive, Bldg. 41, North Little Rock, AR 72115

Purchase request number: 635-16-3-028-0014

2. **Nature and/or Description of the Action Being Processed:**

The justification for the use of other than full and open competition as contained in FAR 6.302-5 to award a sole-source contract to the University of Oklahoma Health Sciences Center (OUHSC) to provide interventional radiology services and resident supervision of the Medical Center's radiology residents. OUHSC is currently providing these services under contract VA256-P-1092, which expires on March 31, 2016. This follow-on contract will be for a base period of 12-months with four (4) 12-month option periods. The estimated value of the base period and all options is \$250,000.

This services and resident supervision is critical to the Radiology program at the VA Medical Center in Oklahoma City.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

BASIC SERVICES. The OUHSC shall provide Board Certified Radiologists, on site Interventional Radiology Physician Services, and resident supervision for the radiology residents assigned to the VA Medical Center in accordance with the specifications contained herein to beneficiaries of the Department of Veterans Affairs (VA) and the VAMC. The VA interventional Radiology Services are accredited by ACR and follow the standards & guidelines set forth by American College of Radiology (ACR).

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
- (X) (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):**
 - a. **Authorized or Required by Statute FAR 6.302-5.** 38 U.S.C. 8153 allows the Department of Veterans Affairs to contract directly with an affiliated University when there is a requirement for clinical services in an area where both parties have an active affiliation agreement on file with the Department of Veterans Affairs Office of Academic Affiliation. The University has provided excellent service to Veterans and residents in the program during this contract cycle.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Due to the resident supervision component of this requirement, there are no other vendors or medical schools in the area with active affiliation agreements in radiology between themselves and the VA medical center.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost of \$250,000 is determined to be fair and reasonable to the government based on previous negotiated contract prices paid for the same services. The previous prices paid were on contract VA256-P-1092. Also, the previous contract prices were a percentage of Medicare approved rates and it is anticipated that the pricing submitted will also be a percentage of Medicare approved rates.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Due to the resident supervision component of this requirement, there are no other vendors or medical schools in the area with active affiliation agreements in radiology between themselves and the VA medical center.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

The University has been an excellent contractor and provided the appropriate services with exceptional quality. They are fully staffed and capable of continuing the superior service that they have been providing.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

N/A
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:**

This requirement falls under 38 U.S.C 8153 which gives the Department of Veterans Affairs the authority to sole source requirements for health-care resources when there is a residency program in the required discipline, an active affiliate agreement between the parties and the Department of Veterans Affairs has a current need for medical care and resident supervision.
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.

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 3: Request for Sole Source Justification Format >\$150K

Brian Tindill

Brian Tindill
Administrative Officer, Radiology
Oklahoma City VA Health Care System

3/21/16

Date

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.

David W.
Miller 382161

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David W Miller
Contracting Officer
NCO16

Date

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

AARON VILLALPANDO
178014

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Aaron Villalpando
NCO 16 Director of Contracting

Date