

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA263-15-AP-9290, VA263-15-AP-8454, VA263-15-AP-9063

1. Contracting Activity:

Department of Veterans Affairs, VISN 23

Network Contracting Office 23

2501 W. 22nd Street

Sioux Falls, South Dakota 57105

2237: 636-16-3-6430-0002, 636-16-3-5041-0002, 438-16-3-4224-0002

Procurement Title: Medical Transcription Services to support the VA Central Iowa Health Care System, VA Nebraska-Western Iowa Health Care System, and Sioux Falls VA Health Care System.

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

This is an individual sole source justification and approvals for the procurement of medical transcription services to support the VA Central Iowa Health Care System, VA Nebraska-Western Iowa Health Care System, and Sioux Falls VA Health Care System. The independent government cost estimate (IGCE) for the procurement is \$164,033.00 for the base period of performance from 04/01/2016 to 09/30/2016. The procurement will include two three-month option periods for an ultimate completion date of 03/31/2017. The total IGCE to include all periods of performance is \$328,066.00.

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

The VA Central Iowa Health Care System, VA Nebraska-Western Iowa Health Care System, and Sioux Falls VA Health Care System are requiring contracted services to provide traditional and speech recognition, correction editing medical transcription services. The contractor shall provide medical transcription services via a remote connection to access and utilize a VA-owned dictation system, Dictaphone Enterprise Express System. The contractor shall electronically access or download VA's digital dictation voice files while meeting VA's information security requirements.

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

Citation 41 U.S.C. 3304(a)(2), as implemented by FAR 6.302-2, Unusual and compelling urgency.

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 6.302-2, VA's need for continued medical transcription services beyond 03/31/2016 is of such an unusual and compelling urgency that the Government would be seriously injured unless there is permission to limit the number of sources of services to the current contractor, We Type Transcription (WTT). The unusual and compelling urgency precludes full and open competition and the delay in award of a new contract would result in serious injury, financial and other, to the Government.

VA previously received medical transcription services under Contracts VA263-14-D-0153, VA263-14-D-0156, and VA263-14-D-0159. Due to various situations, the VA exercised its option to extend the period of performance to 09/30/2016, but modified it to end services on 03/31/2016. Contractor agreement was needed to extend beyond 03/31/2016 and VA could not secure such agreement due to contractor costs.

With all considerations, VA does not have an alternative option for the medical transcription services. Similarly, the services are of such a need that the Government could expect a serious financial and direct patient care injury if services ceased as of 03/31/2016. A contractor, other than the incumbent contractor, would need a minimum of three to four months to obtain all necessary background checks and accesses to VA information technology systems. These requirements would be needed prior to any services commencing. As such, the incumbent contractor is the only contractor in a position to provide services to VA as of 04/01/2016.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

Offers were not solicited from other contractors as time and other resources did not allow for a competition. It is impracticable to solicit, award, background contractors, and commence services under a new contract in two weeks of time.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The Contracting Officer has determined the new pricing of \$0.1561 to be fair and reasonable based on a comparison of other prices for the same or similar type services as available on GSA FSS contracts. Similarly, the pricing has been determined to be fair and reasonable based on a comparison of previously paid prices for the same services as received by VA. A fair and reasonable price determination is available in the contract file.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

The required services are commercially available in the marketplace and it is typical for a business or agency to contract for medical transcription services. As such, there are a number of firms that could provide the services for the VA Health Care System. However, due to the unusual and compelling need of VA to ensure medical transcription services continue uninterrupted after 03/31/2016, additional market research was not conducted.

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

All facts supporting the use of other than full and open competition have been provided.

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

See Section VI above

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 barriers to competition can be overcome when a new contract for services is competed among potential contractors. It is expected that a planning phase of a new acquisition for medical transcription services will begin during the six-month period of performance of the existing contract for services.

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.

Michael K Carstens 319907

Digitally signed by Michael K Carstens 319907
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Michael K. Carstens
Business Office Manager
VA Central Iowa Health Care System

4-27-16

Date



Kelly Rodriguez
Assistant Business Office Manager
VA Nebraska-Western Iowa Health Care System

4-27-16

Date

Robert H. Taylor
127204

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Robert Taylor
Business Office Manager
Sioux Falls VA Health Care System

4/27/16

Date

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

- a. **Contracting Officer's Certification:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief, and recommend for other than full and open competition.

Kelly E. Nussbaum
246222

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Kelly Nussbaum
Contracting Officer
Network Contracting Office 23

04/27/2016

Date

- b. **Branch Chief's Certification and Approval:** 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.

Lori A. Fischer
711244

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Lori Fischer
Branch Chief, Services
Network Contracting Office 23

05/02/2016

Date