

**DEPARTMENT OF VETERANS AFFAIRS**

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

**Acquisition Plan Action ID:**

1. **Contracting Activity:** Department of Veterans Affairs, NCO 16, G.V. (Sonny) Montgomery VAMC Center, Jackson, MS

Requisition Number: 586-16-4-426-0008.

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

G.V. (Sonny) Montgomery VAMC Center, Jackson, MS requires a Bridge Contract of 2 months duration to continue Patient Ground Transportation services for the beneficiaries of the Medical Center and the Community Based Outpatient Centers (CBOCs). This will be a firm-fixed-price contract and the contractor will only invoice and bill for services actually performed.

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

A Patient Ground Transportation service enables the veteran to be transported to their medical appointments without having to pay upfront and out of pocket, and then apply for reimbursement. Without a contract for these services, many veterans would not be able to afford transportation to their medical appointments and their care would be jeopardized. The bridge Contract will be for 2 months of service of special transportation for beneficiaries of the G.V. (Sonny) Montgomery VAMC Center and its CBOCs so they can be seen for medical treatment. The contract will be effective on 1 August 2016, and be effective for two months while a long term contract effort is being completed. The estimated total cost is [REDACTED]. This service has been provided by Navarre Corporation since July 2014. The cost estimate for this Bridge contract is based on the cost history with Navarre Corporation for the past two years. The anticipated period of performance will be 1 August 2016 through 30 September 2016.

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
- (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;

**FAR13.5 Simplified Procedures for Certain Commercial Items:** FAR13.5 Test Program: This procurement is for Patient Ground Transportation Services in accordance with FAR 13.5 Test

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Program for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

The current contract for this service is set to expire on July 31<sup>st</sup> 2016. This contract will serve as a bridge to ensure the required Patient Ground Transportation services will continue to be provided to the beneficiaries while a long term contract is completed. Award will be made to Navarre Corporation, the incumbent contractor, who has demonstrated excellent performance of this requirement since July 2014. The current solicitation process for a long term contract has begun, and is currently in CRB and legal review but will not be completed in time to award a new contract before the expiration of the current one on July 31<sup>st</sup> 2016. Additional time is required to complete the award of the new long term contract and therefore a sole source bridge contract is required to ensure services to beneficiaries are not interrupted. The requirements associated with the activation of the New Orleans Medical Center (Project Legacy) placed burdens on NCO 16 procurement analysts to review other requirements within the allotted time. In addition, the staff attorney who normally conducts legal reviews for Division I, Services Team C was unavailable for four weeks. This absence caused delays in the legal review process.

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

The previously assigned Contracting Officer had conducted market research on the new requirements and had recommended that they be set aside for Service Disabled Veteran Owned Small Businesses. The incumbent contractor intended for award of the Bridge contract is a Service Disabled Veteran Owned Small Business.

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

The estimated cost is based on the average monthly cost by the incumbent contractor, Navarre Corporation during the last two years. The same pricing schedule utilized on the current contract is expected to be utilized for the bridge contract. The prices were evaluated and determined fair and reasonable when the current contract was awarded. These prices are still considered fair and reasonable based on current market prices for medical transportation services. Since services rendered are dependent on the quantity of calls for service, which can't be totally accurately predicted, the cost can be adjusted during the period of performance if necessary. The customer/end-user of this service has typically provided an Independent Government Cost Estimate and funding higher than the actual requirement or a de-obligation modification is done at the end of each period of performance.

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

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Market research was performed in April 2016 for the requirement that will provide long term service to the area covered in this bridge contract. Based on the contracting officer's knowledge of the industry, awarding the interim contract to the incumbent at current market rates is in the best interest of the government and will not have an adverse effect on patient care for the VAMC's veterans and beneficiaries.

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

The service requirements and Statement of Work has not been altered for the period to be covered by this Bridge contract. It is vital to patient care that this interim contract be implemented due to patients standing appointments with the G.V. (Sonny) Montgomery VAMC. If these appointments are missed it would cause hardship on their families, the facility and the patients. Primary and specialty care appointments have been scheduled well in advanced. Due to the number of patients that are being transported daily for these appointments, any appointments missed would create lost opportunities for the facility. This would also delay other Veterans that need to be seen to be sent out for their appointments if not scheduled within 30 days of the clinical indicated date, causing the facility to spend unnecessary dollars for patient care.

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

For the bridge contract, the customer desires to continue to contract with the incumbent. Navarre Corporation was asked on June 24, 2016 if they would be willing to continue to be the provider on a short term basis, and they replied by confirmation email on June 24, 2016.

**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 additional time to procure a long term contract will be used to continue the solicitation process already begun for these services. Market research has already shown multiple SDVOSB vendors are interested in the requirements and a good response to the solicitation is expected. It is intended that the new long term contract will be awarded by 1 October 2016.

**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.

**Bernard A.**

**Grant 291268**

Bernard Grant  
Chief, Hospital Registration Section  
G.V. (Sonny) Montgomery VAMC, Jackson, MS

Digitally signed by Bernard A. Grant 291268  
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Date

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

- a. **Contracting Officer or Designee'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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Windell Lance  
Branch Chief, Div I, Services Team C  
Network Contracting Office (NCO) 16

28 Jun 16

Date

- b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

AARON VILLALPANDO Digitally signed by AARON VILLALPANDO 178014  
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Aaron Villalpando  
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Date