

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K to \$700K)

Acquisition Plan Action ID: VA260-16-AP-4347

1. Contracting Activity: Department of Veterans Affairs, VISN (NCO) 20, for the Veteran Affairs Portland Healthcare System. The Employee Health Service line submitted Purchase Request 648-17-1-1106-0001, requesting a non-personal services contract to provide Contracted Employee Health Services.

2. Nature and/or Description of the Action Being Processed: This is a request (648-17-1-1106-0001) for other than full and open competition to enter into a single firm fixed contract with Occupational Health Centers of the Southwest PA (dba Concentra Medical Services) for Contracted Employee Health Services for the Veteran Affairs Portland Healthcare System. This procurement will be awarded as a new purchase order on a firm-fixed price basis.

3. Description of Supplies/Services Required to Meet the Agency's Needs: The Contractor shall furnish all labor, supervision, management support and non-personal services necessary to provide a facility and to perform examinations that provide pre-placement medical examinations to include review of position description and functional requirements, review of history, physical examination and a report of any history or physical findings that impact the applicant's ability to safely perform the designated duties. The Contractor will also provide initial evaluation exams for on-the-job injuries or illnesses, and Department of Transportation (DOT) exams for applicants/employees who require Commercial Drivers' Licenses. Providers conducting DOT exams must be certified by the Federal Motor Safety Carrier Association. The Contractor will not conduct invasive testing, x-rays, labs or EKG's in the examinations it does for Employee Occupational Health. The VA will require the Contractor to expediently perform examinations on a walk-in basis and also accept appointments for examinations if applicants'/employees' preference. Completed reports shall be faxed to the Veteran Affairs Portland Healthcare System within one business day of examination completion.

3.1 This procurement for Contracted Employee Health Services is in accordance with FAR 13.5 Simplified Procedures 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.

3.2 The estimated dollar amount is \$329,010.00

3.3 The period of performance is as follows:

Base Year:	1 October 2016 – 30 September 2017
First Option Period:	1 October 2017 – 30 September 2018
Second Option Period:	1 October 2018 – 30 September 2019
Third Option Period:	1 October 2019 – 30 September 2020
Fourth Option Period:	1 October 2020 – 30 September 2021

4. Statutory Authority Permitting Other than Full and Open Competition: The authority for applying Simplified Procedures for Certain Commercial Items of FAR 13.5 is (Section 4202 of the Clinger-Cohen Act of 1996) and is implemented for restricting competition on this procurement via FAR 13.106-1(b)(2). The specific reason for restricting competition is only one responsible source will satisfy

OFOC SOP Revision 05

Original Date: 03/22/11

Revision 05 Date: 05/02/2016

agency requirements. This justification is where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2, IAW the VHA SOP for Other Than Full and Open Competition dated 10-27-2014.

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition

Requires the Use of the Authority Cited Above (applicability of authority): Concentra Medical Services is the current provider of Contracted Employee Health Services for the Veteran Affairs Portland Healthcare System. Per FAR 13.106(b), Concentra Medical Services is the only Occupational Health Contractor in the Portland, Oregon Metropolitan area that has multiple medical clinic locations and is capable of providing walk-in services, extended hours, and weekend hours for Veteran Affairs employees and new hires needing services for: physical exams, on the job illness/injury's, human performance exams, and Department of Transportation physicals.

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

The Contract Specialist posted a special notice (notice of intent to sole source) to the Federal Business Opportunities (FBO) website under VA260-16-N-0976 to publicize the Veteran Affairs intent to solicit from a single source. The notice was posted on 18 September 2016 and no responses were received as a result of the special notice posting.

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

The anticipated cost to the Government is \$329,010.00 for a period of performance of one (1) base year plus four (4) one-year option periods.

7.1 Price reasonableness is based on market research of historical prices per FAR 13.106-3(a)(2)(ii), "Comparison of the proposed price with prices found reasonable on previous purchases".

7.2 The previous contract for Contracted Employee Health Services (VA260-P-0935) at Veteran Affairs Portland Healthcare System for the period of performance of 1 May 2011 through 30 April 2016. Price reasonableness for VA260-P-0935, was determined in accordance with FAR 13.106-3(a)(2)(iv) "Comparison with similar items in a related industry".

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 by checking all mandated sources. Sources Reviewed: AbilityOne, Federal Prison Industries, National Acquisition Center, GSA elibrary, Vetbiz, and Dynamic Small Business Search. A notice of intent was posted to the Federal Business Opportunities website on 18 September 2016 with a closing date of 20 September 2016. The notice was to gain information on potential offerors. No responses were received.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: There are no other facts beyond what has been described above that is available to support restricting competition.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: No sources expressed an interest in this acquisition. See paragraph six (6) 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: On future procurements for this service, the contract specialist will continue to seek competition to the fullest extent possible.

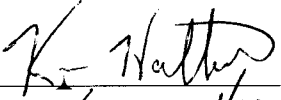
12. Requirements Certification:

OFOC SOP Revision 05

Original Date: 03/22/11

Revision 05 Date: 05/02/2016

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.


Name: KEVIN HALBERT
Title: COR
Facility: VAPORHUS

11.12.16
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.

Thomas M. Ebenhoh
996911

Digitally signed by Thomas M. Ebenhoh: 996911
DN: dc=gov, dc=va, ou=external, ou=people,
o=9.2.142.19200100.100.1.1:thomas.ebenhoh@va.gov,
v.cu=Thomas M. Ebenhoh 996911
Date: 2016.10.07 07:55:45 -0700

Thomas M. Ebenhoh
Contracting Officer
NCO 20, Services Team 1

Date:

- b. **Director of Contracting /Designee (Required \$150K to \$700K):** I certify the justification meets requirements for other than full and open competition.

Thomas R.
Guyer 901226

Digitally signed by Thomas R. Guyer 901226
DN: cn=guyer, dc=va, ou=external, ou=people,
o=9.2.142.19200100.100.1.1:thom.r.guyer@va.gov,
v.cu=Thomas R. Guyer 901226
Date: 2016.10.07 17:37:49 -0600

Thomas R. Guyer
Chief, Division 1 Contracting
Network Contracting Office 20 (NCO 20)

Date: