

7/02/11
Central

VA-263-11-RP-0165
Lie Down Ambulance

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
Ambulance Service – Emergency and Non Emergency Service
Des Moines, VA

1. **Agency and Contracting Activity:** Requiring Agency is Des Moines VA, Business Services Office and the Contracting Activity is Central Iowa Health Care System, Contracting, Des Moines, IA.
2. **Nature and/or description of the action being approved:** Justification and approval for other than full and open competition for emergent and nonemergent ambulance service for the VA Central Iowa Health Care System (VACIHCS) Des Moines Division, Des Moines, IA. This requirement falls under the North American Industrial Classification System (NAICS) code of 621810, with a small business size standard of \$7 million. The end result will be a Firm Fixed Price IDIQ contract awarded under FAR Part 12 using Part 15 procedures. This requirement cannot be fulfilled in-house as the Des Moines VA does not have the staff or the expertise to perform this requirement. The VA Central Iowa Health Care System, Des Moines Division plans to award this requirement as a sole source to a Veteran-Owned Small Business (VOSB), Midwest Ambulance Service of Iowa Inc.
3. **A description of supplies/services required to meet the agency's needs (including the estimated value):** The Des Moines VA requires ambulance services for beneficiary travel to the VA and for travel to other facilities for treatment. These trips will include emergent and nonemergent services for patients. The estimated value for services for one year is \$286,245.00 and \$1,581,683.00 for five years.
4. **Statutory authority permitting other than full and open competition:** This requirement is being set aside under Public Law (PL) 109-461, the Veterans Benefits, Health Care, and Information Technology Act of 2006, which is codified at 38 U.S.C. Sections 8127 and 8128, and specifically, Veterans Affairs Acquisition Regulation (VAAR) 819.7007 (Dec 2009); Each related award must be made to a responsible SDVOSB or VOSB at a fair and reasonable price as determined by the contracting officer. The FAR authority cited is 6.302-5, Authorized by Statute.
5. **Nature of the acquisition to meet the authority cited in Paragraph 4:** VAAR 819.7008 allows for a sole source acquisition to a VOSB. As delineated in VAAR 819.7008 and pursuant to 38 U.S.C Section 8127(c), contracting officers may use other than competitive procedures (including sole source awards) for contracts to Veteran-Owned Small Businesses (VOSBs) where the anticipate price will exceed the Simplified Acquisition Threshold, but not to exceed \$5,000,000.00. Each related award must be made to a responsible SDVOSB or VOSB at a fair and reasonable price as determined by the contracting officer. The contracting officer has determined Midwest Ambulance Service of Iowa Inc. as responsible and will negotiate to ensure a fair and reasonable price.
6. **Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies:** The Des Moines VA normally solicits all service requirements competitively through small business set asides. This is a very specialized service with limited responsible companies available. A search of SBA and CCR showed only four companies in Iowa with only one in the local area. As the authority for this sole source is PL 109-461 Veterans First, this action is not required to be publicized in accordance with FAR 5.202(a)(4).
7. **Determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable:** A price negotiation memorandum, as required by FAR 15.405, will be prepared and included in the contract file upon completion of the negotiations. The Contracting Officer will use other than cost and pricing data to include the independent government estimate, historical costs, and labor costs. The Contracting Officer will ensure that the agreed upon prices are in accordance with industry standards and are fair and reasonable.
8. **Description of the market research conducted and the results or a statement of the reason market research was not conducted:** A search was conducted under the Dynamic Small Business

3

VA-263-11-RP-0185
Lie Down Ambulance

search for SDVOSBs, and none were found in the state of Iowa under the NAICS of 621910. A search of CCR showed the same results. A search under the Dynamic Small Business and CCR was conducted for VOSBs and two were found. One of the VOSBs, Southeast Iowa Ambulance Service, is not interested in providing service to the Des Moines area. The second company, Midwest Ambulance of Iowa Inc is currently providing the service and is the intended awardee of the current requirement.

9. Any other facts supporting the use of other than full open competition, such as: (i) Explanation of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available. (ii) When 6.302-1 is cited for follow-on acquisitions as described in 6.302-1(a)(2)(ii), an estimate of the cost to the Government that would be duplicated and how the estimate was derived. (iii) When 6.302-2 is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government. — None.

10. Listing of the sources, if any, 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: The VA will continue to conduct market research and monitor area vendors in search of other qualified sources.

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.



SARAH M. DAVIS
Acting Facility Contract Manager
VISN 23, Des Moines Division

5/18/2011
Date

13. Approval in accordance with FAR 6.304

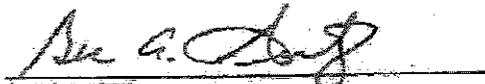
a. Contracting Officer's Certification: (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



SARAH M. DAVIS
Contracting Officer
VISN 23, Des Moines Division

5/18/2011
Date

b. VISN/PCA QA: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief. This signature may be the VISN NCM/PCM if the Contracting Officer and Contracting Supervisor is the same individual.

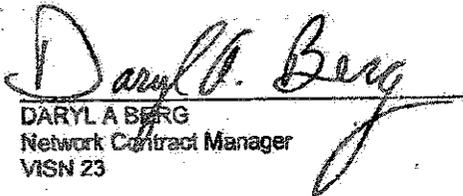


BEN SEITZ
QA & Compliance Specialist
VISN 23

7-15-2011
Date

VA-263-11-RP-0185
Lie Down Ambulance

b. NCM/PCM: I certify the justification meets requirements for other than full and open competition.


DARYL A BERG
Network Contract Manager
VISN 23

7/15/2011
Date

SAO: I certify the justification meets requirements for other than full and open competition.


PAMELA J. SANDERS
SAO Director
Central Region

7/22/11
Date

c. VHA NCA's Review 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 recommend approval (over \$50 million); approve (up to \$50 million) for other than full and open competition.


Mr. Norbert S. Doyle
Acting Chief Procurement Officer
VHA, Head of Contracting Activity

8/11/11
Date