

**DEPARTMENT OF VETERANS AFFAIRS (VA)**

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

**Acquisition Plan Action ID:** [REDACTED]

- 1. Contracting Activity:** Department of Veterans Affairs (VA)  
Network Contracting Office 16 (NCO 16)  
2002 Holcombe Boulevard  
Houston, TX 77030  
No 2237, this requirement is paid through 1358

There currently is a Basic Ordering Agreement (BOA) in place to provide Nursing Homes Services to [REDACTED] eligible Veterans with Courtyard Health & Rehabilitation. Current BOA VA256-14-A-0084 will expire on February 28, 2017.

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

Central Arkansas Veterans Healthcare System (CAVHCS) located at 2200 Fort Roots Drive, North Little Rock, AR 72114 is in need of long-term Nursing Home Services in the El Dorado, AR 71730 catchment area. This proposed single award Indefinite Delivery, Indefinite Quantity (IDIQ) contract will be for Nursing Home Services through an open market soliciting from a single source acquisition to Courtyard Health & Rehabilitation in accordance with Federal Acquisition Regulation (FAR) 13.106-1(b)(2) and FAR 13.5.

This procurement is for Nursing Home Services 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. Description of Supplies/Services Required to Meet the Agency's Needs:**

The service needed is Nursing Home Services to be provided twenty-four (24) hours per day and seven (7) days per week. The period of performance for the IDIQ contract will be a two (2) year term from March 1, 2017 through February 28, 2019. This proposed IDIQ has an estimated total order value of \$630,000.00 with a minimum guarantee quantity of one (1) Veteran and maximum quantity of twelve (12) Veterans. Without the contracted services eligible Veterans will not receive the specific Nursing Home Services needed.

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

The statutory authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(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):**

Courtyard Health & Rehabilitation has [REDACTED] existing Veterans being treated at their nursing home facility. The nursing home facility meets VA exclusion review quality of care standards to provide treatment to MEDVAMC Veterans. The nursing home has provided VA with consistent care to our Veterans. It will cause medical hardship on the patients to move them, disrupt treatment plans and stress on family members if relocated to a different facility. In accordance with FAR 13.1061(b)(2) and FAR 13.5 this requirement for Nursing Homes Services will be restricting competition to Courtyard Health & Rehabilitation as they are meeting the needs of our Veterans in the area and was selected by the Veterans over the nursing homes that contract with the VA in the same zip code area.

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

An intent to sole source has been posted Federal Business Opportunities (FBO) to publish/synopsisize this soliciting from a single source acquisition.

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

Fair and reasonable pricing will be determined in accordance with FAR 13.106-3. Pricing will be evaluated to be fair and reasonable based on a comparison to the Independent Government Cost Estimate (IGCE) and established Medicaid rates by the state of Arkansas for nursing home facilities and established VA nursing home rates. The Government estimate was prepared based established Medicaid rates for various levels of care and established VA nursing home rates based on VA national guidelines for determining cost for VA nursing home contracts.

**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 on a limited basis: In accordance with FAR 10, Market research was performed finding Courtyard Health & Rehabilitation has the ability to provide the long-term care needed as well as meet the quality of care standard set fourth for VA contracted CNH. Continuing services is critical to Veterans to sustain a quality of life at an acceptable level. Market research information for this was requirement was taken from internet searches and from direct communication with the CNH's.

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

None.

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

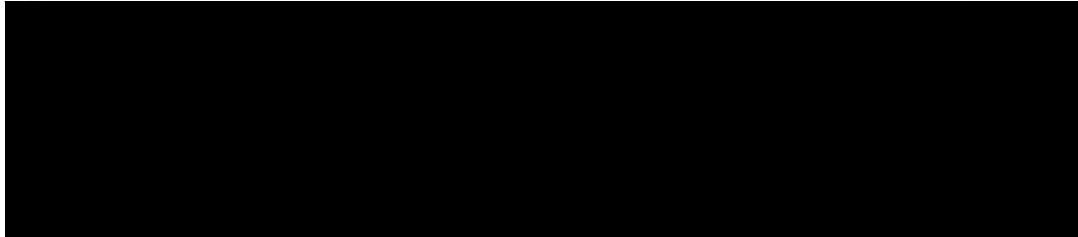
Courtyard Health & Rehabilitation  
2415 West Hillsboro Street  
El Dorado, AR 71730

**10. 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 Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed.

**11. Requirements Certification:**

I certify that the requirement outlined in this justification is a Bona Fide Need of the VA and that the supporting data under my cognizance, which are included in the Justification is accurate and complete to the best of my knowledge and belief.



**12. Approvals in accordance with the FAR 13.106-1(b)(2) and FAR 13.5:**

- 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.

