

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID: VA261-17-AP-5508**

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

**Restricted to the following source:**

Contractor: MGA Healthcare California, Inc.

Contractor POC & phone number: Pat Shanahan 415-421-1832

Contractor Address: 879 West 190<sup>th</sup>, Suite 380, Gardena, CA 90248

FSS Contract Number: V797D-50427

The requested material or service represents the minimum requirements of the Government.

**(1) AGENCY AND CONTRACTING ACTIVITY:** Department of Veterans Affairs  
Service Area Office West  
Network Contracting Office 21  
6900 North Pecos Road, Bldg 6  
North Las Vegas, NV 89086 \_\_\_\_\_

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**

The Government intends to award a sole source FSS task order as follow-on to a previously competed FSS BPA Call to MGA Healthcare California, Inc., for Temporary Personnel/Phlebotomy services for the VA Northern California Health Care System for a period of performance of 4/1/17 – 9/30/2017. Additionally FAR Clause 52.217-8 will be included to allow adequate time for a dual path, competitive action to be conducted and the medical center can attempt to hire. This action is required as the results of an internal audit conducted on the previous contracting vehicle which ultimately determined the contract vehicle could no longer be used for the services for various reasons. As a result, instead of exercising any further options under 52.217-9, the option under 52.217-8 was exercised for six months in an attempt to continue services while a replacement long-term procurement was conducted. Due to unforeseen delays with the long-term procurement, this single source action is being used to generate a short-term contract for six months for the purposes of continuing the vital services for the VAMC while the long-term procurement continues to progress.

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**

The VA NCHCS requires temporary personnel (certified phlebotomists) on-site on an as needed basis at the Community Based Outpatient Clinics (CBOC) listed below:

McClellan VA Outpatient Clinic, 5342 Dudley Blvd., McClellan Park, CA 95652

Yuba City VA Outpatient Clinic, 425 Plumas Street, Yuba City, CA 95991

Chico VA Outpatient Clinic, 280 Cohasset Road, Chico, CA 95926

Redding VA Outpatient Clinic, 351 Hartnell Ave., Redding, CA 96002

to perform venipuncture by following published laboratory procedures.

Anticipated usage is 4,160 hours between the Mather/McClellan locations and 2,640 hours between the Redding/Chico/Yuba locations

**(b) ESTIMATED DOLLAR VALUE:** \$219,912 base period, \$439,824 base and options

**(c) REQUIRED DELIVERY DATE:** Period of Performance: April 1 – September 30, 2017 with a possible extension in accordance with FAR Clause 52.217-8 to 3/31/2018

**(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.**

The new work is a logical follow-on to an original Federal Supply Schedule order in accordance with FAR 8.405-6 (a)(1)(i)(C). The original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order was not previously issued under sole source or limited source procedures, rather was a competitive multi-award action.

The VANCHCS requires a logical follow-on to the originally competed contract action to cover the gap between 3/31/2017 and when either the Medical Center can hire phlebotomists for these locations or contracting can award a competitive contract. The professionals provided by MGA Healthcare California, Inc are available to provide services immediately since they have been providing these critical services to the Department of Veterans Affairs on prior contracts. Additionally all of the contractor personnel have already passed the appropriate security screenings. Thus, there would be no interruption in service to our veterans.

**(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

The order represents the best value because of the contractor's previous performance record and ability to satisfy the stated requirements without interruption to services. The anticipated cost to the Government for this contract action will be determined fair and reasonable by the contracting officer as the costs coincide with Federal Supply Schedules and previous VA contracts. Services offered on the schedules are priced at ceiling hourly rates for performance of a specific position/occupation. GSA has already determined the prices for services offered at hourly rates, under schedule contracts to be fair and reasonable. By placing an order against a schedule contract using the procedures in 8.405, the ordering activity has concluded that the order represents the best value (as defined in FAR 2.101) and results in the lowest overall cost alternative (considering price, special features, administrative costs, etc.) to meet the Government's needs.

**(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:**

Market research was conducted on FSS SIN: 621-I, Category 621-046. Complete market research was conducted on the previous contract action and is currently being performed in anticipation for a long-term procurement. At the onset of the present contract, multiple awards were generated as a single contractor/provider capable of providing these services to the VA at a fair and reasonable price could not be sourced.

Due to the nature of this action and the fact multiple short-term task orders will be issued to contractors who received awards during the prior acquisition, additional market research, evaluations, correspondence, or telephone discussions were not conducted with any other contractors/providers.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

Implementing a short-term task order to continue services to Veterans allows the VA to continue to establish long-term contract(s) which will be determined suitable for serving the Veterans.

**(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:**

At this time acquisition planning and market research is ongoing to determine the appropriate set-aside and publication point. Once this has been determined a dual path will be executed, VA hiring and a competitive acquisition. The VA is using this non-competitive procurement as a temporary solution to provide patient care and service without bed closure and negative impact to patient care. All future needs for this service will be conducted competitively.

**(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.

_____ SIGNATURE		_____ DATE
Martha Goodwin NAME	Laboratory Manager TITLE	Pathology & Lab Med Svc (113) SERVICE LINE/SECTION
_____ VA NCHCS FACILITY		

**(10) 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.

_____ CONTRACTING OFFICER/DESIGNEE’S SIGNATURE	_____ DATE
Amanda J. Simmons, Contracting Officer NAME AND TITLE	Network Contracting Office (NCO) 21 FACILITY

**b. Director of Contracting/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

_____ SIGNATURE	_____ DATE
Amanda J. Simmons, Branch Chief MS II NAME	
NCO 21 Director of Contracting Designee	