

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA770-17-AP-0377

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: DLH Solutions Inc.

Manufacturer/Contractor: DLH Solutions Inc. _____

Manufacturer/Contractor POC & phone number: Kevin Wilson, 648-449-6285 _____

Mfgr/Contractor Address: 3525 Highway 81 South, Loganville GA 30052-4336 _____

Dealer/Rep address/phone number: N/A _____

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

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs _____

Consolidated Mail Outpatient Pharmacy _____

Leavenworth Acquisition Division _____

3450 S. 4th Street Trafficway _____

Leavenworth KS 66048-5580 _____

VISN:

N/A _____

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

Supplemental staffing services for pharmacists and pharmacy technicians for the Consolidated Mail Outpatient Pharmacy (CMOP) located in Leavenworth KS.

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

The CMOP has a requirement for the services of pharmacists and pharmacy technicians to process Veteran prescriptions. It is in the government's best interest to award a bridge task order against the VA NAC FSS 621 I, Professional and Allied Healthcare Staffing Services to temporarily continue services to the Leavenworth CMOP until a long-term procurement vehicle is awarded.

(b) ESTIMATED DOLLAR VALUE:



(c) **REQUIRED DELIVERY DATE:** 01 May 2017_____

(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.

☐ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is: _____
(If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

☐ These are "direct replacements" parts/components for existing equipment.

☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

☐ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☒ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

This requirement was competed five years ago in accordance with DVA guidance at the time, that National Acquisition Center Federal Supply Schedules be used to procure supplemental staffing services. The Kingdomware Decision in June 2016 changed the methodology for procuring these services. In order to comply with this Decision, more robust and extensive market research is required and a long term contract has not yet been awarded. This short term requirement will ensure that critical services are procured until the long term contract is awarded. If a task order is not awarded, the Consolidated Mail Outpatient Pharmacy will cease production and directly affect the medical prescription services to the nations 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 current contractor, DLH Solutions, has performed under Blanket Purchase Agreement VA797M-12-A-0001 since November 2011.

[REDACTED]

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

A Request for Information VA770-16-N-0406 (RFI) was issued on GSA E-Buy, (RFQ1096254) on 31 May 2016 and closed on 14 June 2016 seeking qualified, experienced and interested potential sources. The RFI was limited to veteran owned small businesses, or service disabled veteran owned small businesses. Interested and capable businesses were encouraged to submit documentation of technical expertise to this office so that this office could determine that they possessed the necessary functional area expertise and experience to compete for this acquisition. Fifteen companies responded to the RFI.

[REDACTED]

[Redacted]

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

DLH staff has been performing pharmacist and pharmacy technician functions for the past five years and are completely familiar with the automation equipment and duties to support the CMOP mission. Further, there would be no transition time or expense associated with this bridge task order that would impact services and therefore negatively impact 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:

None, as a Supreme Court ruling in the Kingdomware case could not have been anticipated.

(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. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Sheila Volski

Digitally signed by Sheila Volski
DN: cn=Sheila Volski, o, ou=Leavenworth CMOP, email=sheila.volski@va.gov, c=US
Date: 2017.03.27 11:14:06 -05'00'

SIGNATURE

DATE

Sheila Volski

Superv Fac Distrib Spec

CMOP

NAME

TITLE

SERVICE LINE/SECTION

Leavenworth CMOP

FACILITY

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Limited Sources Justification Format >\$150K

(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.

Linda S. Bayer

387356
CONTRACTING OFFICER/DESIGNEE'S SIGNATURE

Digitally signed by Linda S. Bayer 387356
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=linda.bayer@va.g
ov, cn=Linda S. Bayer 387356
Date: 2017.03.27 14:02:32 -0500

03-27-2017

DATE

Linda S. Bayer, Supervisory Contract Specialist
NAME AND TITLE

NCO 15 CMOP Acquisitions
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

Scott Fiscus

NAME

Director of Contracting

Network Contracting Office (NCO) 15

HIGHER LEVEL APPROVAL (Required For orders over \$700,000):

c. **VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$13.5 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

Linda S. Greaves

NAME

Acting Director, SAO Central Region

SAO Central Head of Contracting (HCA)

DATE