

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA244-17-AP-6342

1. **Contracting Activity:** Corporal Michael J. Crescenz VA Medical Center, NCO 4, 3900 Woodland Avenue, Philadelphia, PA 19104.
Requiring Activity: Department of Veterans Affairs, NCO4, Lebanon VA Medical Center 1700 South Lincoln Ave, Lebanon, PA 17042.
2. **Nature and/or Description of the Action Being Processed:**
The proposed creation of a Fixed Price Indefinite Quantity, Indefinite Delivery (IDIQ) six (6) month bridge contract for Home Oxygen services is to allow for review, evaluation, and award of a new VISN Contract that will be completed shortly.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

The total amount of the contract for four months (7/1/2017 through October 31, 2017) is \$622,518.66. The contract includes the following: Respiratory equipment consists of the following:

- Oxygen concentrators (to include portable concentrators from a single manufacturer)
- Ventilators (Trilogy ventilators, unless otherwise indicated)
- Liquid oxygen stations and Portable units
- Suction machines
- Compressors
- Nebulizers
- CPAP/BIPAP'S
- D Tanks (aluminum or light weight steel)
- E Tanks (aluminum or light weight steel)
- M Tanks
- A Tanks
- Accessories or supplies as described elsewhere in the solicitation
- Conserving devices
- Oxysafe devices

Registered Respiratory Therapist Visit (Prescription change and/or Additional components) - such as but not limited to:

- Mask sizing/fitting
- Heated humidifier
- CPAP/BIPAP Settings

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

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- () (2) Unusual and Compelling Urgency per FAR 6.302-2;
- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

Due to the size and complexity of the new competitive procurement, the Lebanon VAMC Home Oxygen will be extended with the incumbent contractor, American Home Medical Equipment Company, under a bridge contract for six months. The current contract expires 06/30/2017. Home Oxygen and related oxygen therapy interventions are lifesaving medical treatments that provide increased function and quality of life to the Veterans that rely on it. American Home Medical Equipment Company has a proven track record of successfully providing these services to the Lebanon VAMC. American Home Medical Equipment Company's intimate knowledge of the Lebanon VAMC patients, the company's equipment and facilities, and current experience with the Lebanon VAMC give them the unique ability to continue functioning in this capacity while the current competitive solicitation is being completed. Creating a Fixed Price Indefinite Quantity, Indefinite Delivery (IDIQ) six month interim contract would provide for a continuity of operations and prevent the potential cost of disrupted services support. Currently, VISN 4 CORs are reviewing and evaluating several proposals received under a competitive IDIQ for this medical center and four other medical centers. We anticipate award of the VISN contract by August 28, 2017.

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

Currently, VISN 4 CORs are reviewing and evaluating several proposals received under a competitive IDIQ for this medical center and four other medical centers. This bridge is being prepared as an interim until the new award is made. After award of the new contract, a transition period of 30-60 days is needed to allow for the transition to a new vendor.

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

A determination of fair and reasonable pricing for this action will be accomplished by a comparison with current government contracts of a similar scope and size from other VA facilities and by using past pricing. Incumbent contractor has agreed to utilize the same pricing from the expiring contract. The estimated cost for a period of six months is \$622,518.66.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

Provided Copies of previous contract and QASP
VIP Search by NAICS and State
Reviewed SAM Registration

Additional Market Research was not conducted because soliciting this requirement would result in unnecessary delays and additional costs which will directly affect the care veterans are receiving. The VISN is developing a VISN Wide contract which is in the final phases of approval.

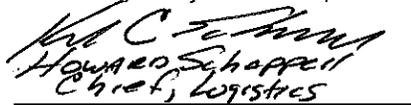
9. Any Other Facts Supporting the Use of Other than Full and Open Competition: N/A

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: American Home Medical Equipment Company, Columbia Ancillary Services, CBJ Inc., Medical Equipment and Supplies of America, Eagle Home Medical, Rotech have all expressed interest in past contracts concerning the acquisition of home oxygen services. In addition, three proposals were received with the VISN 4 solicitation; Altamira, Eagle Home Medical and CBJ (who proposed Lebanon site only).

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:

N/A

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.


Jamie Bausher

Prosthetics Representative

12 June 2017
Date

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.

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.

MAUREEN JORDAN
385898
Maureen Jordan
Contracting Officer
CPL Michael J. Crescenz VA Medical Center
Philadelphia, Pa

Digitally signed by MAUREEN JORDAN 385898
DN: dc=gov, dc=va, o=internal, ou=people, 0.9.2342.19200300.100.1.1=maureen.jordan@va.gov, cn=MAUREEN JORDAN 385898
Date: 2017.06.12 15:10:16 -0400

Date

b. Director of Contracting /Designee (Required over\$150K but not exceeding \$700K): I certify the justification meets requirements for other than full and open competition.

NANCY L. PORTER
128170
Nancy L. Porter
Branch Chief, NCO 4

Digitally signed by NANCY L. PORTER 128170
DN: dc=gov, dc=va, ou=internal, ou=people, 0.9.2342.19200300.100.1.1=nancy.porter@va.gov, cn=NANCY L. PORTER 128170
Date: 2017.06.12 15:13:28 -0400

Date