

# DEPARTMENT OF VETERANS AFFAIRS (VA)

## Sole Source Justification For Soliciting From s Single Source (>\$150K)

### Acquisition Plan Action ID:

1. **Contracting Activity:** Department of Veterans Affairs (VA)  
Network Contracting Office 16 (NCO 16)  
2002 Holcombe Boulevard  
Houston, TX 77030  
[REDACTED]

There currently is a contract in place to provide Emergency Department (ED) to the Michael E. DeBakey VA Medical Center (MEDVAMC) with NES Government Services, Incorporated. Current contract V797P-7291A, VA256-16-J-1264 will expire on [REDACTED]

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

MEDVAMC is located at 2002 Holcombe Blvd, Houston, TX 77030 is in need of a short term onsite ED Services in the Houston, TX. This proposed contract will be for a sole source onsite ED Services contract through an open market soliciting from a single source acquisition to NES Government Services, Incorporated in accordance with Federal Acquisition Regulation (FAR) 13.106-1(b)(2) and FAR 13.5.

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 MEDVAMC is a Level I Medical Facility with a Level III ED that operates 24/7 and provides a critical service for our ever growing Veterans population. Contract V797P-7291A, VA256-16-J-1264 is expiring soon, but currently provides the needed services and has proven to be beneficial to the Veteran constituents of MEDVAMC.

The service requested would provide twenty-four (24) hours per day and seven (7) days per week to maintain 24/7 ED operations to bridge the gap until the new long term contract can be awarded. The period of performance for the short term contract will be a two (2) month term [REDACTED]

[REDACTED] This proposed short term contract has an estimated total value of \$583,272.00. Without the contracted services eligible Veterans will not receive the specific ED 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):**

NES Government Services, Incorporated is the current contractor providing ED Services and is the only one source that can meet this current requirement at this time. They have worked very closely with the MEDVAMC staff, patients, and resources within the MEDVAMC. They have also gained significant knowledge of the current ED operations. This continued relationship is crucial until a new long term contract is awarded. If another contractor is selected, additional risk would be incurred as the new contractor's staff may not fully understand the care required nor have the experience to care for our unique Veteran population.

Currently a long term solicitation is in process of being awarded for a one (1) year base period with one (1) four (4) year option periods. The VA has a very lengthy review process that includes an Integrated Product Team, the Medical Sharing Office (which includes Patient Care Services and Legal) and the Contract Review Board.

**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 to publish/synopsise 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 and historical data. Specially, previously negotiated contract prices paid for the same service from contract V797P-7291A, VA256-16-J-1264.

**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 NES Government Services, Incorporated has the ability to provide the care needed at MEDVAMC. 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 the acquisition team personnel knowledge of the requirement.

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

A new long term competitive acquisition is currently in the pre-solicitation phase with a planned award of [REDACTED]. This date of estimated award may be pushed back due to internal staffing and other workload requirements.

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

NES Government Services, Incorporated  
6477 College Park Square, Suite 316  
Virginia Beach, VA 23464



**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.

