

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA261-17-AP-12951

Purchase Request: 612-18-1-293-0010

1. **Contracting Activity:** Department of Veterans Affairs, VISN 21, Network Contract Office (NCO) 21 for the VA Northern California Health Care System (VANCHCS.)
2. **Nature and/or Description of the Action Being Processed:** This procurement is for a mobile crisis team to be available on an as needed basis to conduct mental health crisis evaluations for the beneficiaries receiving care in the Emergency Department at the VANCHCS to determine whether an involuntary inpatient psychiatry care is required in the Behavioral Health Intensive Care Unit. The proposed Single Award Indefinite Delivery Indefinite Quantity (IDIQ) Contract will be an open market sole source acquisition to Social Service Staffing & Recruiting Inc., located 4425 Treat Blvd Ste 304, Concord, CA 94521-3552 in accordance with FAR 6.302-1 Only One Responsible source and No Other Supplies or Services Will Satisfy Agency Requirements.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Contractor personnel shall evaluate patients who may be considered by Emergency Department staff to be an immediate danger to themselves or others or gravely disabled within 60 minutes of being called by the Emergency Department. The contract providers must provide medical written results of the assessment. The contract providers must complete as needed the application for 72-hour detention for evaluation and treatment (MH 302) for admission into the VANCHCS Behavioral Health Intensive Care Unit (BHICU).

Mental Health Providers must have at least two years of experience performing mental health evaluations involving Welfare and Institution Code Section 5150 determinations and be certified by Sacramento County to perform 5150 evaluations and certified in Basic Life Support (BLS).

This is an Indefinite Delivery, Indefinite Quantity Contract because it is impossible to determine with any certainty the exact amount of services that will be required under this contract. The estimated quantity is 330 evaluations per year, with a unit price of \$490 each or \$161,700, with a maximum ceiling/not to exceed contract value of \$400,000. The period of performance is October 1, 2017 – September 30, 2018.

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

- (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):** In accordance with *VHA Handbook 1160.01, Uniform Mental Health Services in VA Medical Centers and Clinics*, independently licensed mental health providers must be available in Urgent Care Centers (UCC) and Emergency Departments (ED) either on duty or on call to assist in the evaluation and management of mental health emergencies. The VANCHCS does not have staff to perform these services after hours, without contractor support the VA could unwittingly release a suicidal veteran resulting in serious harm to the veteran and/or civilian bystanders.

Social Service Staffing & Recruiting currently supports the VA Northern California Health Care System's Mental Health Department after hours in the Emergency Department by conducting these mental health evaluations on an as-needed basis. The contractor has been providing this service since 2010 and has ample licensed mental health providers that have been credentialed and privileged at the VANCHCS and have the appropriate licenses from the state and county to perform these mental health evaluations.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A sources sought was posted to FBO, none of the respondees had the required Sacramento County Certification to perform 5150 evaluations required for the performance of this contract.

Additionally, in accordance with FAR 6.305(a), this action will be synopsisized at award on FBO and the justification will be made publicly available. Any response to this notice will be shared with VANCHCS Mental Health personnel and used to determine the appropriate set-aside for the upcoming competitive action.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and Reasonable:** Fair and reasonable pricing will be determined in accordance with FAR 15.403-3. Pricing will be evaluated to be fair and reasonable based on a comparison to the Independent Government Cost Estimate (IGCE) and acquisition history.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** The contract specialist conducted market research using acquisition history, by searching through the VA's Veteran Information Pages and by posting a sources sought. None of the market research conducted identified any other capable vendors.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Outsourcing these mental health evaluations to another VA Medical Center or military treatment facility is not feasible. The evaluation must be conducted while the Veteran is at the Emergency Department or it may not be done allowing a Veteran to harm him/herself or others.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** A-Team Solutions; American Correctional Solutions, Matrix Providers, Deltek and Social Service Staffing & Recruiting, Inc.,
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:** The VA is using this non-competitive procurement as a temporary solution to provide this vital mental health service. All future needs for this service will be conducted competitively.

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.

Denise C
Kellaher 534422

Digitally signed by Denise C Kellaher
534422
DN: dc=gov, dc=va, o=internal, ou=people,
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Date: 2017.10.12 20:39:37 -0700

Denise Kellaher
Psychiatrist
VA Northern California Health Care System

10/12/17

Date

13. **Approvals in accordance with the [VHAPM Part 806.3 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.

Tracy Worrell
Contracting Officer
Network Contract Office (NCO) 21

10/13/17

Date

- b. **One Level Above the Contracting Officer (Required over \$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

Amanda Simmons
Branch Chief, Medical Sharing II
Network Contract Office (NCO) 21

Date