

# DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: TBD

1. **Contracting Activity:** Department of Veterans Affairs, VISN 04, 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) four 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:**

Brief Description of Service*	Period of Performance		Estimated quantity	Unit Price	Estimated Amount
	PoP Start	PoP End			
<i>Bridge Contract for Home Oxygen Contract</i>					
<i>Base Period (01 November 2017 - 28 February 2018)</i>					
Rental: Concentrators	11/1/2017	2/28/2018	1600	\$108.0000	\$172,800.00
Rental: Liquid Oxygen System			1800	\$40.0000	\$72,000.00
Rental: Ventilator - Primary (monthly rental)			32	\$800.0000	\$25,600.00
Rental: Ventilator - Back Up (monthly rental)			32	\$500.0000	\$16,000.00
Rental: Pulmo-aide/nebulizer			16	\$50.0000	\$800.00
Rental: Air Compressors (Delivery VA Owned Equipment)			8	\$50.0000	\$400.00
Delivery and setup of CPAP			80	\$50.0000	\$4,000.00
Delivery and setup of BiPAP			16	\$50.0000	\$800.00
Delivery and setup of Suction Machine			16	\$50.0000	\$800.00
Delivery and setup of #4 Nebulizer			20	\$50.0000	\$1,000.00
Rental and Delivery of Oxygen conserving device pulse-dosing			1000	\$2.0000	\$2,000.00
Rental and Delivery of Helios-Container Liquid Oxygen, portable/conserver .9lb			800	\$28.0000	\$22,400.00
Rental and Delivery of Container, liquid oxygen, portable 3lb			700	\$28.0000	\$19,600.00
Rental and Delivery of Regulators to be used with cylinders			600	\$25.0000	\$15,000.00
"M" Cylinder contents			1600	\$9.0000	\$14,400.00
"E" Cylinder contents			4000	\$9.0000	\$36,000.00
"D" Cylinder contents			2400	\$9.0000	\$21,600.00
Liquid oxygen, (pounds)			144000	\$0.6500	\$93,600.00
"A" Cylinder contents			920	\$9.0000	\$8,280.00
Respiratory Therapist Home Bound Patient Assessment			32	\$120.0000	\$3,840.00
Period of Performance Total					\$530,920.00

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 four months. The current contract expires October 31, 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) four month interim contract would provide for a continuity of operations and prevent the potential cost of disrupted services support. Currently, Contracting is working on a VISN level competitive contract for the medical center. It should be awarded by November 10, 2017.

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

Currently, the Contracting Officer is finalizing the technical information for the Determination and Findings document. The CO is addressing comments from Legal and this should be finalized in a few weeks. Once this is complete, the CO will send to Legal for final review and then SAO East for approval to award. This bridge is being prepared as an interim until the new award(s) is/are made. After award of the new contract(s), 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 current contract which expires October 31. The cost for four months is \$530,920.00.

**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 A.  
Bausher 500301

Digitally signed by Jamie A. Bausher 500301  
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Date: 2017.10.17 12:47:53 -04'00'

Name: Jamie Bausher  
Title: Prosthetics Representative  
Facility: Lebanon VAMC

October 17, 2017

Date

**10. 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

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Name: Maureen Jordan  
Title: Contracting Officer  
Facility: NCO4/Medical 2/Medical Support Services

October 17, 2017

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

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Name: Nancy L. Porter  
Branch Chief, NCO4  
Clinical Support Services/Med 2

10/17/2017

Date