

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA241-17-AP-6202/523-18-1-7453-0002

- 1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office One (1), 200 Springs Road, Bedford, Massachusetts, 01730 is responsible for the proposed procurement of Phlebotomist Services for the following locations: VA Boston Healthcare System (VABHS) and Bedford VA Medical Center (Bedford VAMC). The campuses serviced under this contract include: Bedford, Brockton, Causeway Street, Lowell and Jamaica Plain. The subject procurement is for a six (6) month base with an option to extend for an additional six (6) months of services. The customer has provided funding via a 2237 in the amount of \$120,900.00 to cover services for the base year period.
- 2. Description of Action:** This acquisition is conducted under the authority of the Multiple-Award Schedule Program (41 U.S.C. 251 and 40 U.S.C. 501). VABHS and the Bedford VAMC are requesting contracted phlebotomist services to provide on-site services. This is a follow on task order to the current incumbent and Maxim Healthcare Services, Inc, contract number V797D-30238.

Order against: ☒ FSS Contract Number: V797D-30238

Name of Proposed Contractor: Maxim Healthcare Services, Inc.

Street Address: 7227 Lee Deforest Drive

City, State, Zip: Columbia, MD 21046

Phone: 904-396-9767

- 3. Description of Supplies or Services:** The estimated value of the proposed action is \$ 241,800.00

The procurement is for temporary phlebotomist services to be provided on-site. The resulting contract is for emergency coverage to be provided on an as needed basis. Currently, VABHS and the Bedford VAMC are experiencing staffing shortages as a result of extended medical leave and retirements. The demand for phlebotomist services has been increasing; as such, it is vital that phlebotomist services continue to be available in order to meet the direct demand of our nations Veterans.

The resultant contract utilizing the current incumbent, Maxim Healthcare Services, Inc. for temporary help services is vital in order to continue to maintain the workflow in the laboratory. If NCO1 were to solicit this requirement to anyone other than Maxim Healthcare Services, Inc. it would (1) compromise the health and safety of our Veterans and; (2) interrupt the continuum of care. Overall the impact would result in a lack of continuity of care, which would lead to longer wait times for our Veteran's. Historical data has proven that the VA Credentialing process can take up to and/or exceed three (3) months, in order to have a candidate fully vetted. As well, the candidate would need to receive new employee orientation, training in the clinical setting, computer system training, all of which would create unacceptable delays and impact the care of our nations Veterans. Based on the above, NCO1 has determined that it is in the Governments best interest

(4) IDENTIFY THE AUTHORITY AND SUPPORTING RATIONALE (see 8.405-6(a)(1)(i)(A), (B), and (C) or 8.405-6(b)), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

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

☐ Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized;

☒ In the interest of economy and efficiency, 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.

☐ Items peculiar to one manufacturer:

☐ 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.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.404(d) TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

It is in the Governments best interest to utilize the current incumbent as the current incumbent is able to provide a seamless transition of services. If the procurement were to be competed there is a possibility that there would be a disruption in services which would directly impact patient care; as well, it would result in the duplication of training, security checks, and background checks. Any delays occurred as a result of competing this requirement would have a direct impact on patient safety, and put Veterans at risk. The current incumbent and their contracted employees are already vetted within the VA System.

Maxim Healthcare Services, Inc, is a GSA Federal Supply Schedule contract holder. The services offered under this schedule have already been determined fair and reasonable. Furthermore, NCO1 is able to make a best value determination comparing the quote to the Independent Government Cost Estimate (IGCE).

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

Due to the urgent and compelling need that exists for this requirement market research was not conducted. An award to a new vendor, at this point in time, would severely delay use of the temporary staff services already vetted within the VA system, create unnecessary wait times for patients, disrupt patient care and conflict with current patient experience guidelines.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

There are no additional facts supporting this justification.

(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:

This is a one-time exception to seeking competition. In the future all procurements for phlebotomist services shall be competed. Advanced planning, for future procurements, will allow for ample time to obtain competition, and have all potential candidates vetted within the VA System.

(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.)

Mary-Ann

Bridgwood 150466

Digitally signed by Mary-Ann Bridgwood 150466
DN: dc=gov, dc=va, o=internal, ou=people,
0.9.2342.19200300.100.1.1=mary-ann.bridgwood@va.gov,
cn=Mary-Ann Bridgwood 150466
Date: 2017.09.05 13:38:42 -04'00'

Sept 5 2017

SIGNATURE

DATE

Mary-Ann Bridgwood

Program Director

VISN 1 Network Consolidated Lab

NAME

TITLE

SERVICE LINE/SECTION

VISN 1

FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM Part 806.3

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.

Mark A. Gelsinger 1454393

Digitally signed by Mark A. Gelsinger 1454393
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1454393
Date: 2017.09.05 14:20:41 -04'00'

CONTRACTING OFFICER/DESIGNEE'S SIGNATURE

DATE

Mark A. Gelsinger, Contracting Officer

VAMC Togus, Maine

NAME AND TITLE

FACILITY

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.

SIGNATURE

9/27/2017

DATE

Tammy A. Fox, Supervisory Contracting Officer

NAME

NCO/PCO 01 Duty Title