

DEPARTMENT OF VETERANS AFFAIRS

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

Acquisition Plan Action ID: VA256-18-AP-3444

1. **Contracting Activity:** Department of Veterans Affairs, VISN 16, G.V. "Sonny" Montgomery VA Medical Center
2237# 586-18-2-426-0015
2. **Nature and/or Description of the Action Being Processed:**
3 month bridge contract for Patient Ground Transportation for the G.V. "Sonny" Montgomery VA Medical Center in Jackson, Mississippi. This will be a one-time, firm-fixed price contract issued as a sole source to the incumbent.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**
A short-term bridge contract is needed to continue Patient Ground Transportation services for the G.V. "Sonny" Montgomery VA Medical Center while the new contract award that has been protested is complete with GAO. The expectation is that the protest will be resolved within 90 days. Estimated contract value for the three months is [REDACTED]
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (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):**
The current contract holder is a Service-Disabled Veteran Owned Small Business (SDVOSB) and the intent is to award the bridge contract as a sole source with unusual and compelling urgency. All patient ground transportation for the G.V. "Sonny" Montgomery VA Medical Center will cease as of Midnight, January 31, 2018. Patients who utilize this service will not be able to attend doctor's appointments and/or other scheduled visits without the provided transportation. This is a detriment to Veteran patient care.

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

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

Market research was performed to confirm the current contract incumbent is in the VetBiz registry with the required NAICS.

There are multiple sources with the capabilities of providing the requested services however it is the intent of the Government to utilize a short-term bridge for the completion of the GAO protest for the competed transportation contract.

7. **Determination by the CO that the Anticipated Cost to the Government will be Fair and**

Reasonable: The anticipated cost will be considered fair and reasonable and provide the bases for this determination. The price quoted for this requirement will be compared with previous contracts and same/similar contracts available for review with FPDS and other government portals. It is expected that the costs will be comparable to the current contract pricing.

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

Market research was performed to confirm the current contract incumbent is in the VetBiz registry with the required NAICS.

1. MARKET PRICE: Current price being paid for this service is [REDACTED] per trip within the 30 mile threshold, and [REDACTED] per mile for mileage outside of the threshold. Expect bridge contract pricing to stay the same or near the current contract price.

2. ACQUISITION HISTORY: This service was competitively solicited as 100% SDVOSB set-aside and awarded to Navarre Corporation on 07/01/2014 under contract VA256-14-P-3385. The contract was for a base plus on option year, and ended 10/1/2015. A short-term fixed price IDIQ contract with Navarre Corporation was put in place from 10/1/2015 to 07/31/16 under contract VA256-15-C-0176 to allow for the long term (base year plus four – one year options) to be put in place. The short-term fixed priced IDIQ was extended utilizing the 52.217-8 through January 31, 2018. This requirement is a second short-term bridge to complete the protest process for the second submitted protest.

The service was competitively solicited as 100% SDVOSB set-aside and awarded March 15, 2017 under contract VA256-17-D-0002 for a base plus four-one year options. The award was protested and GAO made recommendations. The recommendations were followed however a second protest was submitted which added additional delay to the transportation contract. The second protest is currently being reviewed through GAO. The new contract award is on hold pending GAO resolution.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** This bridge contract is to cover the time period while the new contract award that is under protest with GAO is resolved.


10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**
Navarre Corporation

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:**

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

A competitive requirement was solicited for the ground transportation services however it was protested. It is anticipated that the new requirement under protest will be awarded which will absolve the barriers of competition as it was solicited as an SDVOSB set-aside with multiple vendors responding.

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.


Kmitra Lovely
Chief, Medical Administration Service
G.V (Sonny) Montgomery VAMC

1/23/18
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.

Beth A. Cook
197071

Digitally signed by
Beth A. Cook 197071
Date: 2018.01.24
09:44:50 -06'00'

Beth A. Cook
Contracting Officer
Division I Services C
Network Contracting Office (NCO) 16

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.

Windell L.
Lance 187507

Digitally signed by
Windell L. Lance 187507
Date: 2018.01.24
09:53:57 -06'00'

Windell Lance
Branch Chief, Division I Services C
Network Contracting Office (NCO) 16

Date