

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID: VA263-18-AP-2704**  
**PR-IFCAP (2237): 636-18-4082-0041**

- 1. Contracting Activity:** Department of Veteran Affairs, Network 23 Contracting Office (NCO23), 316 Robert Street N, St Paul, MN 55101.
- 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).

This would be a new requirement. The previous contract expired 12/31/2017.

Order against:  FSS Contract Number: V797D-50367

Name of Proposed Contractor: Goldfish Locum Tenens

Street Address: 5741 Legacy Drive Ste 200

City, State, Zip: Plano, TX

**3. Description of Supplies or Services:**

Department of Veteran Affairs, Iowa City Health Care System (ICHCS), is seeking contractual services to fill neurosurgery services to eligible veterans. These services would be provided on site, consisting of about 50 hours per week, and 24/7 pager call coverage. The period of performance will be from 01/22/2018 to 08/03/2018.

The estimated value of the proposed action is **\$612, 024.00**

**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.

The Iowa City VA only had one (1) neurosurgeon on staff. He was working full time in conjunction with three locum neurosurgeons for overflow and on-call services, whose contract expired on December 31, 2017. The VA neurosurgeon abruptly resigned on November 29, 2017, creating an urgent and compelling need for another neurosurgeon at the Iowa City VA, since VA

had no notice of this sudden departure, and there are now NO neurosurgeons at the Iowa City VA. The nearest VA with neurosurgery services is Omaha and Minneapolis, both of which are at a considerable distance and will need to work around their own established patients, thus creating delays and cost increases, as transportation would have to be arranged.

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;

Goldfish Locum Tenens has been working under contract for the past year and has been providing intermittent coverage. Their contract expired December 31, 2017 and the ICHCS was actively working to hire another neurosurgeon, so that the contracted services would not be needed. With the abrupt resignation of the one full time neurosurgeon, and no viable replacement candidate in place, this leave the Iowa City VA with only contracted intermittent coverage for neurosurgery until December 31, 2017. After that, the Iowa City VA will be without any neurosurgery services at all. Neurosurgery is a highly specialized, but essential service, and a long gap in services is not acceptable. The nearest VA facilities with neurosurgery services are Minneapolis and Omaha, both of which involve significant travel and have their own workloads to consider.

For all the above reasons, it makes sense to offer the current contractor, Goldfish Locum Tenens, who is also a small business, a locum contract for 6 months. They are already performing and are familiar with this requirement. They have one surgeon who is already credentialed with the VA and is ready to start. They are also in the process of credentialing 2 other surgeons to make sure the Iowa City VA has adequate coverage for their neurosurgery needs. In that time, the Iowa City VA hopes to be able to hire a neurosurgeon on staff.

In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order, provided, 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:**

This contractor is a GSA schedule holder and the determination has already been made that the price is fair and reasonable. This order, considering the urgent need of neurosurgeons and the impact of NOT having any on staff will make to patient care, is fair and reasonable. Commercial rates for Neurosurgeons typically range from \$325/hour to \$355/hr. Travel and per diem rates run about \$10-\$20 per hour. Night call rates are usually another hour of the regular billed rate. For weekend and holiday calls, the rate can vary from 3.5-8 hours of the regular hourly rate. These call rates usually deviate from the FSS schedule as it is a scarce medical resource. The ceiling price in FSS is \$348.48. The previous contractor agreed to a price of \$317/hour which is below the commercial rates. On call rates were higher at \$40/hour, however it is customary for on call rates to be higher.

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

Extensive market research has already been conducted by the Government. He posted sources sought, RFQ's, etc. and had very few responses. The determination was that there were enough small businesses to set his requirement aside for small business on GSA, which was awarded and has now expired, as of, December 31, 2017. SDVOSB searches (VIP) showed that the number of SDVOSB contractors has grown, and will be useful if the Iowa City VA is not successful in hiring neurosurgeons on staff in the future. Three (3) SDVOSBs stated that they would be able to find neurosurgeons, however, the time frame to recruit, and credential these doctors would be 3 months or more. The previous contractor, has at least one doctor that is already credentialed and privileged and can be ready to work by the end of January. This contractor also has two other doctors that are currently undergoing credentialing. Iowa City needs a neurosurgeon immediately, therefore if credentialing is already done, this will be beneficial to VA.

**7. ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

The contractor proposed already has 1 neurosurgeon credentialed and is ready to start. They have 2 other surgeons that are undergoing the credentialing process right now. This is a significant advantage in that the credentialing process is usually what takes the longest time.

**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:**

The VA should make sure that there is a clear operating procedure to check and verify credentialing and licensing, when hiring staff physicians. If there are any issues, legal should be consulted. However, everyone should be aware of current regulations, so everyone is working with the same regulations. Due to conflicting interpretations, the current issue became an emergency. The program office needs to work on a long-term solution. This would involve setting up a long term competed contract to work in conjunction with any physicians hired.

**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.)*

**Dena R. Dietzler 220196**

Digitally signed by Dena R. Dietzler 220196  
Date: 2018.01.10 11:34:29 -06'00'

SIGNATURE

DATE

Dena Dietzler – Administrative Officer  
Iowa City VAHCS

**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.

SANDRA M. MCANANY  
201272

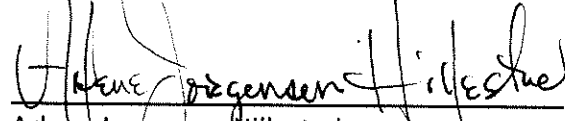
Digitally signed by SANDRA M.  
MCANANY 201272  
Date: 2018.01.10 12:59:23 -06'00'

1/10/2018

CONTRACTING OFFICER/DESIGNEE'S SIGNATURE DATE

Sandra McAnany – Contracting Officer

**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.



Arlene Jorgensen Hillestad  
Branch Chief – Medical Sharing Team 2 – NCO23

1-10-2018  
DATE