

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)

For

Other Than Full and Open Competition (>\$150K)

1. **Contracting Activity:** Department of Veterans Affairs, VISN 20, The Mann Grandstaff VA Medical Center (MGVAMC) has the requirement to continue uninterrupted Urgent Care Center (UCC) Physician Services for veterans at the MGVAMC in Spokane, WA, utilizing funding provided with 2237 number [REDACTED]
2. **Nature and/or Description of the Action Being Processed:** This procurement is for a Firm Fixed Price contract for UCC Physician services. This Firm-Fixed Price contract will be awarded for a three-month period of 1 April 2018 through 30 June 2018. Federal Acquisition Regulation (FAR) clause 52.217-8, Option to Extend Services, will be included for potential extensions up to six months, 1 July 2019 through 31 December 2019. Due to the nature of UCC Physician services, the incumbent contractor is the only responsible source to provide UCC Physician services for such a short amount of time while the long-term contract is being competed. The estimated value of this procurement is \$429,372.00. This estimate is for the three month period of performance, and is based upon the rate of \$238.54 per hour for 1,800 hours (20 hours per day X 90 days).
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The contractor shall provide Board Certified/Board Eligible Urgent Care Center Physician Services on site in accordance with the specifications contained within the Performance Work Statement to beneficiaries of the Department of Veterans Affairs and the MGVAMC. MGVAMC has contracted UCC Physician services since 29 June 2011.
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):** An interim contract is needed to prevent a break in service while a new follow-on contract is solicited and awarded. Work on the new requirement began in April 2016 during a meeting between the Contracting Officer (CO) and Contracting Officer's Representative (COR). The requirement was previously solicited and awarded as full and open competition. The COR finalized all of the required documentation required by VA Directive 1663 and MSO on 24 August 2016. The requirements package was completed in its entirety on 24 August 2016. This requirement is currently in the pre solicitation phase. Changes in current manning levels and anticipation that the UCC will be converted back to an Emergency

Department that will operate 24 hours per day, seven days per week. These changes have caused delays in advertising the new long-term requirement. The expected posting date of the new solicitation is approximately 2 May 2018.

Eskridge & Associates is the incumbent contractor under VA260-17-C-0007 which will expire on 31 March 2018. All available options and extensions have been exercised. As the incumbent, Eskridge & Associates has credentialed and privileged providers in place to serve the UCC. Market research conducted by Contract Specialist indicates that it would take a new company approximately 90 days after contract award to have providers privileged and in place.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Under normal circumstances this requirement would be solicited through open-market competition by any and all eligible contractors. However, the, critical need for uninterrupted services precludes procurement for this interim requirement from any source other than the incumbent. The new requirement is currently in the pre-solicitation phase and will not be awarded before the current contract expires on 31 March 2018.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The established payment methodology is a flat hourly rate for each provider. The hourly rate for the interim contract will be compared with the current contracted rate of \$234.54 per hour. This price was determined to be fair and reasonable based on adequate competition. Ten proposals were received in response to the solicitation and three were determined to be in the competitive range.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted using VA's VetBiz website. This site was searched using NAICS 621111 (2). The SBA's Quick Market Search was also queried using NAICS 621111 (28). A random sampling of SDVOSB/VOSB and other small businesses was conducted to determine if there is an adequate pool of small businesses available that can fulfill this requirement.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** Under the expiring contract, Federal Acquisition Regulation clause 52.217-8, Option to Extend Services, has already been exercised, 1 July 2017 through 31 December 2017. No further contractual authority is available to extend services.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No other parties expressed interest in this acquisition without interrupting services provided to the MGVAMC UCC.
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 subsequent acquisition will be competed. The solicitation is being developed. There are no barriers to competition for the follow-on contract. The follow-on contract is anticipated to have a one-year base period plus 4 one-year option periods.
The below milestones for the competitive acquisition of Urgent Care Center Physician Services are presented to support the period of performance for this bridge contract.

MILESTONE	PLANNED DATE
1) Acquisition Plan approval	03/15/2018
2) Completion of acquisition package including: a) Purchase Request (VA Form 2237) b) Performance Work Statement c) Evaluation factors d) Evaluation plan e) Quality Assurance Surveillance Plan	03/16/2018
3) Justification for Other than Full and Open Competition	Not Applicable
4) Any other required D & F approvals	Not Applicable
5) Issuance of synopsis	03/21/2018
6) Solicitation reviews completed Peer Review Network Level QA Review MSO Level Review Legal Review	03/31/2018 04/05/2018 04/15/2018 05/01/2018
7) Issuance of solicitation	05/02/2018
8) Proposals due	06/02/2018
9) Evaluation of proposals	06/16/2017
10) Begin negotiations	06/17/2018
11) Complete negotiations	06/22/2018
12) Request final proposal revisions	06/23/2018
13) Final proposal revisions received	07/01/2018
14) Contract preparation, reviews, and clearances obtained: Peer Review Network Level QA Review MSO Level Review Legal Review	07/05/2018 07/08/2018 07/13/2018 07/27/2018
15) Contract Award	07/28/2018

