

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

**Acquisition Plan Action ID:** VA261-18-AP-4182

**Purchase Request ID:** 662-18-1-062-0008

1. **Contracting Activity:** Department of Veterans Affairs/Service Area Office West, Network Contracting Office (NCO) 21, 3230 Peacekeeper Way, Bldg. 209, McClellan, CA 95652
2. **Nature and/or Description of the Action Being Processed:** The requiring activity is San Francisco VA Health Care System (SFVAHCS). Residential Social Detoxification Services will be furnished to eligible Veterans as specifically authorized by the VA. The resultant contract will be a five (5) year Indefinite Delivery Indefinite Quantity (IDIQ) contract with services anticipated to commence as of April 1, 2018 and continue through March 31, 2023 based upon the needs of the Government.

The procurement is being processed in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This contract requirement is valued at \_\_\_\_\_ over the contemplated five (5) year period. An IDIQ contract is contemplated, allowing for flexibility. Thus, through this contract, the resultant contractor would be able to provide daily shelter/bed services, community based residential care, treatment and rehabilitative services for approximately 16 homeless Veterans and more or less if future requirements increase or decrease. This service is under the authority of 38 U.S.C. 2032, Therapeutic Housing, 38 USC 8153, Health Care Resources (HCR), and in conjunction with work therapy under 38 U.S.C. 1718, Legal Information Institute for contracted residential services. Upon acceptance of a VA patient into the program, when requested by the Contracting Officer or authorized representative, the contractor shall provide Residential Social Detoxification Services. This service will be performed on an as needed basis, at the per diem and length of time agreed upon, and in accordance with the Performance Work Statement. VA is obligated only to the extent authorized placement of patients are made under this contract.
4. **Statutory Authority Permitting Other than Full and Open Competition:**  
The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented for restricting competition on this procurement in accordance with FAR 13.106-1(b)(2) Soliciting from a single source.
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** In VISN 21, the San Francisco Bay area, including the City of Oakland, has the single largest concentration of homeless Veterans. Only one facility within the required market is available to meet the Government's needs – \_\_\_\_\_ is the incumbent contractor and has been providing services for the past five (5) years for San Francisco VA Health Care System (SFVAHCS). This residential treatment facility is uniquely located within one (1) mile of the San Francisco VA Medical Center (SFVAMC) and is the only facility that provides required types and levels of care to include Mental Health and detox treatment in the direct vicinity of SFVAMC. The VA currently has Veterans staying with \_\_\_\_\_, and those arrangements are set to expire March 31, 2018. \_\_\_\_\_ has a satisfactory history of serving homeless Veterans under prior contracts and agreements. There are no other residential treatment facilities in the direct vicinity of SFVAMC capable of sheltering Veterans beginning April 1, 2018. This facility has already been inspected by the VA's multi-disciplinary team, which includes fire safety, security, nutrition, clinical review, medication review, and homeless coordinator review. Accordingly, \_\_\_\_\_ is the only available facility capable of providing the required services without the Veterans Health Administration experiencing unacceptable delays in fulfilling its requirements.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Sources Sought Notice 36C26118Q9143 was posted to Fed Biz Opps with a response date of \_\_\_\_\_

January 25, 2018 to determine if there were any contractors within the SFVAHCS area of operation capable of performing the required services. No contractors responded expressing interest in the requirement.

Additionally, SFVAMC social work staff's continuous and ongoing market research efforts through community outreach, knowledge of the local city and county shelter systems and resources have revealed no other acceptable sources. Staff will continue indefinitely to identify additional resources for these critical services.

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

The anticipated cost to the Government for this action will be determined fair and reasonable by the Contracting Officer utilizing price analysis based upon a comparison of prices found reasonable on prior contracts and market research within the market area.

**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 by the Contract Specialist in accordance with FAR Part 10 and is included in the contract file. Efforts included:

Market Research returned the following results:

- a. Sources Sought Notice 36C26118Q9143 was posted to Fed Biz Opps with a response date of January 25, 2018 to determine if there were any contractors within the SFVAHCS area of operation capable of performing the required services. No contractors responded expressing interest in the requirement.
- b. Attempts were made to locate additional operating shelter services in San Francisco, CA with web-based searched of vip.vetbiz.gov, fbo.gov, and fpds.gov.
- c. A search of the Department of Veterans Affairs Vender Information Pages (VetBiz) criteria of NAICS 623220 and the keywords "mental health" yielded three (3) firms, none of which are located within the SFVAHCS area of operations. It is therefore determined that none of these firms can perform the needed work due to logistical constraints.
- d. A search of the Small Business Administration's Dynamic Small Business Search using NAICS 623220 and keywords "residential mental health", "residential" and "mental health" revealed 16 matches, none of which are in the immediate area; and are logistically impractical.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** This procurement is to continue services for homeless veterans who are currently utilizing the incumbent contractor's facility. The requested service date begins April 1, 2018. The Agency must ensure a contract is awarded in a timely manner to avoid an impact to those Veterans. The VA has and will continue to conduct market research on an on-going basis to identify other potential sources. At this point, the VA must move forward on a sole source basis to avoid disruption to the Veterans currently being served at the incumbent contractor's facility.

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

**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:**

SFVAHCS social work staff, to include the Contracting Officer's Representative and other clinical experts in the area, conduct continuous and ongoing market research efforts through community outreach, knowledge of the local city and county shelter systems and resources to identify additional resources and community organizations for these critical services.

The proposed action for an IDIQ obligates the Government only to the minimum guarantee. Once that minimum guarantee has been fulfilled, the Government may utilize other sources as they become available. If other capable providers are identified during the period of performance, the Government will be able to initiate competitive procedures if deemed in the best interest of the Government.