

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA256-18-AP-5187

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 16, Southeast Louisiana Veterans Health Care System (SLVHCS) Medical Center has a requirement for Emergent Prescription Filling Services in support of Veteran care at New Orleans' Medical Center and associated Community Based Outpatient Clinics (CBOCs). Purchase Request 629-18-2-077-0248 provides funding to cover the action from date of award through one year in the amount of \$192,000.00.
- 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](#)). The agency anticipates award of a task order to Heritage Health Solutions, Inc., under their GSA Schedule (GS-23F-0047U), to cover this new emergency prescription services requirement. Heritage Health Solutions is the only known provider who could provide the services needed. Heritage Health Services is a Service Disabled Veteran Owned Small Business. (SDVOSB).
- 3. Order against:** ☒ FSS Contract Number: **GS-23F-00047U**
Name of Proposed Contractor: Heritage Health Solutions, Inc.
Street Address: 300 Parker Square STE 210
City, State, Zip: Flower Mound, TX, 75028-7424
Phone: 469-293-3199

4. Description of Supplies or Services:

The estimated value of the proposed action is **\$192,000.00**

The contractor shall provide prescription services from 8:00 a.m. to 5:00 pm. Monday through Saturday through VA-approved providers in support of veterans being serviced in New Orleans and surrounding CBOCs. Prescriptions filled will be in written form as provided by approved VA physician(s). The intent of this contract is for medication fills only as identified in the Statement of Work and attachments thereto. Sources were limited to Heritage Health Solutions, Inc. under their existing GSA Schedule. Heritage Health Solutions is currently providing these Services under Contract No. VA256-17-F-2166 for New Orleans' medical center and is the only known vendor who could continue those services to the New Orleans' area.

(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. (CHECK ALL THAT APPLY AND COMPLETE)

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays. Heritage Health Solutions is the only vendor with established networks, personnel,

security access, and national Business Associate Agreement approval status, to provide the services needed in the New Orleans' regional area.

☒ 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. Heritage Health Solutions is the only vendor with established networks, personnel, security access, and national Business Associate Agreement approval status, to provide the services needed in the New Orleans' regional area.

☒ 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:

The task order will be priced in accordance with the contractor's established GSA pricing which has already been determined to be fair and reasonable. A comparison with the pricing for similar services under other competed contracts also shows the proposed brand name and generic percentage discounts and dispensing fees are fair and reasonable even under these circumstances.

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

Market research was limited to contacting the only known source in this region who could provide the immediate response and cover applicable services. Experience in contracting for these services shows that most vendors need several weeks to months to ramp up given the sophisticated IT requirements, pre-established network provider agreements, VA Business Associate Agreement requirements, and VA requirements.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

Regarding, Public Law (PL) 109-461 Section 8127. Small business concerns and controlled by veterans: contracting goals and preferences: (c) **Sole Source Contracts for Contracts** Above Simplified Acquisition Threshold- For purposes of meeting the goals under subsection (a), and in accordance with this section, a contracting officer of the Department may award a contract to a small business concern owned and controlled by veterans using procedures other than competitive procedures if- (1) such concern is determined to be a responsible source with respect to performance of such contract opportunity; (2) the anticipated award price of the contract (including options) will exceed the simplified acquisition threshold (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)) but will not exceed \$5,000,000; and (3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price that offers best value to the United States.

(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 period of performance for this requirement will be limited to one year from the date of aware. FAR 52.217-9, Option to Extend the Term of the Contract will be included in the event the national contract is not in place by the end of the one-year period.

(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.)*

3/28/2018

X Brian LeBaron

Signed by: Brian J. Lebaron 618171

BRIAN LEBARON COR
Southeast Louisiana Veterans Health Care System
FACILITY

3/27/2018 DATE

FAC-COR II _____
Pharmacy

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM Part 806.3 OFOC SOP: *This part if filled out by Contracting Staff as part of the Justification*

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Leslie Robinson

March 28, 2018

Leslie Robinson
Contracting Officer

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.

Travis Sippel
458945

Digitally signed by Travis
Sippel 458945
Date: 2018.03.29 15:26:21
-05'00'

TRAVIS A. SIPPEL
Branch Chief, Service Team A

DATE