

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$150,000**

**FAR PART 8.405-6**

**Acquisition Plan Action ID:** VA770-18-AP-0372/36C77018Q0311

This acquisition is conducted under the authority of the Multiple Award Schedule Program, 621 I, Professional and Allied Healthcare Staffing Services. The service listed in paragraph three below is sole-source. Therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

**Restricted to the following source:**

Contractor: DLH Solutions

Contractor POC & phone number: Kevin Wilson, President, 678-449-6285\_\_\_\_\_

Contractor Address: 3565 Piedmont Road NE, Building 3, Suite 700\_\_\_\_\_

City/State/Zip: Atlanta, GA 30305\_\_\_\_\_

☒ The requested service represents the minimum requirements of the Government.

**(1) AGENCY AND CONTRACTING ACTIVITY:**

Department of Veterans Affairs

3450 S. 4th Street Trafficway

Leavenworth KS 66048

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**VISN:**

NCO 15 CMOP Acquisitions

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**

The Department of Veterans Affairs is seeking to issue a bridge task order to DLH Solutions, under their existing Federal Supply Schedule (FSS) Contract Number **V797P-2219D**, for a six-month period from May 1, 2018 to October 31, 2018 for the Charleston, SC Consolidated Mail Outpatient Pharmacy. This performance period will sustain vital pharmacist and pharmacy technician services and allow a transition period until the new, succeeding procurement is fully competed and awarded.

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**

The CMOP has a requirement for the services of pharmacists and pharmacy technicians to process Veteran prescriptions. It is in the Government's best interest to award a bridge task order against the VA NAC FSS 621 I, Professional and Allied Healthcare Staffing, to temporarily continue services to the Charleston, SC CMOP until the long-term contract is awarded.

**(b) ESTIMATED DOLLAR VALUE:** [REDACTED]

**(c) REQUIRED SERVICE DATE:** May 1, 2018

**(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.**

☐ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.).

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☐ A patent, copyright or proprietary data limits competition. The proprietary data is:

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☐ These are "direct replacements" parts/components for existing equipment.

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☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing.

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☐ 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.

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☒ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

The CMOP facilities must continue without disruption to ensure Veteran patients receive critical medications. Failure to award this task order will endanger Veteran patient health. The current bridge contract provides approximately fourteen pharmacists and ninety three pharmacy technicians at the Charleston, SC location to ensure operations are fulfilled. Without the support of contracted personnel, operations would be critically curtailed. Therefore, the most logical action is to award a bridge task order as the incumbent Contractor would be able to successfully perform these services without interruption. DLH already has the skilled personnel with security clearances in place to provide these services without any transitioning. The awarding of a short-term bridge task order will ensure this continuity and facilitate the Department's efforts to move to a successor, long-term contract vehicle.

**(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

The Contracting Officer has determined that the price for this bridge task order will be fair and reasonable based on current contract pricing and based on DLH's anticipated FSS pricing which, in accordance with FAR 8.404(d), has been determined to be fair and reasonable. The VA National Acquisition Center (NAC), delegated management of FSS 621-I (Professional and Allied Healthcare Staffing Services) for the entire Federal Government by General Services Administration (GSA), has already negotiated the prices of services. Ordering activities are not required to make a separate determination of fair and reasonable pricing.

**(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 not conducted as the previous Blanket Purchase Agreement awarded in 2011 and awarded for a 5-year period was competed among schedule holders. Two sole-source, six-month task orders were issued with a period of performance beginning May 1, 2017 as the work to put a long-term contract in place is still on-going. The solicitation for the long-term contract has been reviewed and is awaiting final clearance authority. Additionally, in accordance with FAR 16.504(c)(1)(ii)(D)(1), approval must be obtained from the Secretary of the agency in order to make a single, IDIQ award in excess of \$112M. The long-term contract will be competed on the open market. A service of this magnitude requires a lengthy transition period and, therefore, it is in the Government's best interest to award a bridge task order to the incumbent to provide uninterrupted services until the long-term contract is awarded and transitioned to another contractor.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

DLH staff has been performing pharmacist and pharmacy technician services for the past six years and is completely familiar with the automation equipment and duties to support the CMOP mission. Further, there would be no transition time or expense associated with this bridge contract that would impact services and, therefore, negatively impact Veteran care.

**(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:**

There are no actions the VA can take to increase competition at this time for this bridge task order due to urgent and compelling rationale cited above. However, the Government anticipates a competitive solicitation for the long-term procurement action to be released once final review clearance has been received.

**(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.

Michael Jacobs 553490

Digitally signed by Michael Jacobs 553490  
Date: 2018.02.20 13:22:20 -05'00'

SIGNATURE

DATE

Michael Jacobs

Supervisor/Program Manager

NAME

TITLE

SERVICE LINE/SECTION

Chelmsford, MA CMOP

FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE [VHAPM, Volume 6, Chapter VI: 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.

Jenny L RATHJEN 346036

Digitally signed by Jenny L RATHJEN 346036  
Date: 2018.03.05 11:57:59 -06'00'

JENNY L. RATHJEN

DATE

CONTRACTING OFFICER

NETWORK CONTRACTING OFFICE 15 CMOP ACQUISITIONS  
FACILITY

b. **One Level Above the Contracting Officer:** I certify the justification meets requirements for other than full and open competition.

PENNY J

CAPPS 492179

Digitally signed by  
PENNY J CAPPS 492179  
Date: 2018.04.06 09:18:19  
-05'00'

04/06/2018

PENNY CAPPS

DATE

SUPERVISORY CONTRACT SPECIALIST  
NETWORK CONTRACTING OFFICE 15  
CMOP ACQUISITIONS

c. **Director of Contracting/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

SCOTT R FISCUS 381888

Digitally signed by SCOTT R FISCUS 381888  
Date: 2018.03.05 20:03:01 -06'00'

SIGNATURE

DATE

SCOTT R. FISCUS

DIRECTOR OF CONTRACTING

NETWORK CONTRACTING OFFICE 15

**HIGHER LEVEL APPROVAL (Required *For orders over \$700,000*):**

**d. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$13.5 million):** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

Randy L. Hays 534204

Digitally signed by Randy L. Hays  
534204  
Date: 2018.03.06 13:23:56 -08'00'

RANDY HAYS

ACTING DIRECTOR, SAO CENTRAL REGION

SAO CENTRAL HEAD OF CONTRACTING ACTIVITY (HCA)

DATE