

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)
For
Other Than Full and Open Competition (>\$150K)

Acquisition Plan Action ID: VA247-18-AP-5403

1. **Contracting Activity:** Department of Veterans Affairs, VISN 7, Station 509, Charlie Norwood VA Medical Center (CNVAMC), Augusta, Georgia 30904.

Transaction#: 509-18-3-523-0018

2. **Nature and/or Description of the Action Being Processed:** This is a request for a sole source firm fixed price interim contract to Regional Services LTD. (dba SouthStar, Service), for ambulance/stretchers service for beneficiaries of the Charlie Norwood VA Medical Center, Augusta GA. A pending long-term base plus four (4) option year contract combines ambulance and wheelchair as one service. This requirement is necessary to establish an interim contract to continue providing ambulance/stretchers and all-inclusive medical services to include medical equipment necessary for the transportation for qualified VA beneficiaries of the CNVAMC and outlying Community Based Outpatient Clinics (CBOC) in the state of Georgia and South Carolina. A firm-fixed indefinite delivery contract with a period of performance of 1 April 2018 – 30 September 2018 is anticipated, during which time the long-term base plus four (4) option year contract will be awarded by 1 October 2018.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The contractor shall furnish ground ambulance /stretchers transportation with the inclusive provision of medical services for Basic Life Support (BLS) and Advance Life Support (ALS), to beneficiaries at the CNVAMC and outlying CBOCs in accordance with all terms and conditions of this contract. The contractor shall provide all supplies, materials, equipment, labor, supervision, management, and transportation to furnish BLS/ALS transportation to eligible VA beneficiaries located in the designated locations in the state of Georgia and South Carolina. The total estimated cost of the contract is estimated at \$ [REDACTED]

Description	Est Qty	Unit of Issue	Unit Price	Total Price
BLS One Way Trip	900	EA	[REDACTED]	[REDACTED]
2 BLS mileage rate	4000	EA	[REDACTED]	[REDACTED]
BLS waiting time	37	EA	[REDACTED]	[REDACTED]
ALS one way	225	EA	[REDACTED]	[REDACTED]
ALS mileage rate	3000	EA	[REDACTED]	[REDACTED]
ALS waiting time	30	EA	[REDACTED]	[REDACTED]

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Stretcher SVC	2600	EA	
Stretcher SVC mileage	45000	EA	
Stretcher SVC wait time	20	EA	
Bariatric /Arduous transport	375	EA	
Ventilator Usage	8	EA	

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):** The suggested source Regional Medical LTD, is the current provider of these ambulance/stretchers transportation services and can ensure continuity of services thus ensuring patient care is available to those Veterans served by this contract. Due to the length of time needed to compete and solicit a base plus option year contract the facility is requesting a sole source bridge contract to ensure services continue during the process. The current contract VA247-17-C-0039, expires 31 March 2018. This does not provide ample time to compete and negotiate a short-term contract (1 April 2018 – 30 September 2018), as the procurement lead time for competitive contract of its estimated dollar value of \$[REDACTED] is approximately 208 days. Furthermore, even if this requirement were competed in this short timeframe, it is not enough time to get a new contract established. Prior to commencing work, a new contractor would need to meet various requirements, including the inspection of their facilities and all vehicles intended for use under this contract prior to beginning work. Ground ambulance services are needed to transport stable non-ambulatory and bariatric patients to higher and /or appropriate echelon levels of care when deemed medically necessary. On average, the CNVAMC requires ambulance services for 550 round trips per month. The current contractor is familiar with each facility and what is required under the existing contract terms and conditions, which alleviates any delays in transitioning to another service provider minimizing the risk to the Government and providing the same care for our Veterans. The transition time for a new contractor would be at least 60-90 days. The medical center and outlying clinics cannot have any disruption of the critical service as it would be detrimental to patient care. As such, a sole source interim contract is needed for 1

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
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April 2018 – 30 September 2018, so that the new five (5) year contract can be competed and established.

- 6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A sources sought notice was issued on the Federal Business Opportunity (FBO) website on 8 February 2018 (36C24718R0241). At the time the notice expired on 1 March 2018 at 12 noon Eastern, nine (9) responses were received (7 SDVOSBS and 2 Small Business Concerns).
- 7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost of \$ [REDACTED] was derived from the most recent pricing from the existing contract VA247-17-C-0039 [REDACTED]. The cost is determined to be fair and reasonable for the service and based on contractor's previous rates.
- 8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A sources sought notice was issued on FBO on 8 February 2018 (36C24718R0241). At the time the notice expired on 1 March 2018 at 12 noon Eastern, nine (9) responses were received.
- 9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** Failure to provide a short term 6-month contract to ensure continued services would impede the facilities ability to provide access to patient care services to our Veterans. The incumbent contractor is prepared to continue performance of the contract without any delays and at the same previous contract price.
- 10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Elite Cyber Agency, LLC; Excelsior Ambulance Services; Freedom EMS, LLC; Gold Cross EMS; MediCab Transportation, LLC; CLV Enterprises, Inc (dba Samaritan EMS); Regional Services LTD. (dba SouthStar EMS); Southern Net, Inc.; The Hop Transportation, LLC;
- 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 CNVAMC plans to follow-up on interested parties from the sources sought, as a long-term combined contract for ambulance / wheelchair services beginning 1 October 2018 is pursued.
- 12. 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 and belief.
- [REDACTED]
- VTS Mobility Manager
- Date
- 13. Approvals in accordance with the VHAPM Part 806.3 OFOC SOP:**

VHAPM Part 806.3 Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Sole Source Justification Format >\$150K

- a. **Contracting Officer or Designee's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

Branch Chief, Supervisory Contracting Officer

[Redacted 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.

[Redacted Signature]

NCO 7 Director of Contracting

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$68 million) or approve (\$700K to \$68 million) for other than full and open competition.

[Redacted Signature]

Executive Director, SAO East

VHA Head of Contracting Activity (HCA)

Date

****The only reason that this has been approved is to prevent disruption of critical patient services. The Contracting Office failed to get a proper instrument in place in a timely manner that would've prevented this situation. Disciplinary actions have been taken against the responsible contracting staff.

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