

DEPARTMENT OF VETERANS AFFAIRS

**FAR 8 – Justification for Limiting Sources (LSJ)
For
Limiting Sources (<SAT)**

Acquisition Plan Action ID: 36C26118AP2345

- 1. Contracting Activity:** Department of Veterans Affairs, VISN 21, Network Contracting Office (NCO) 21 for the Veterans Affairs Pacific Islands Health Care System (VAPIHCS) purchase request number 459-18-4-131-0195.
- 2. Description of Action:** In accordance with the VA MISSION Act of 2018, the VA Sierra Pacific Network (VISN 21) seeks to obtain a Contractor to perform an analysis of healthcare delivery options for Veterans residing in American Samoa, CNMI/Saipan, and Guam (also known collectively as the **Western Pacific Insular Islands**). Specifically, Section 213 of the VA MISSION Act calls for not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding healthcare furnished by the Department of Veterans Affairs to Veterans who live in the Pacific territories.

Order against: FSS Contract Number: GS-10-F-0347P

Name of Proposed Contractor: Romanyk Consulting
Street Address: 3308 Preston Road Suite 350-164
City, State, Zip: Plano, TX 75093
Phone: 972-625-3838

3. Description of Supplies or Services:

The estimated value of the proposed action is [REDACTED]

The VAPIHCS seeks an independent review and study on the feasibility of establishing a CBOC in the Western Pacific Insular Islands. The Government seeks a contractor to conduct the analysis and study in order to provide an unbiased viewpoint on the issue. The study must include appropriate business case and cost benefit analyses resulting in specific Contractor recommendations of future care delivery options for Veterans residing in the Western Pacific Insular Islands.

4. Authority:

ORDER AGAINST FSS: Authority of the Multiple Award Schedule Program, Title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251, et seq.); Title 40 USC 501, Services for Executive Agencies; and Section 803 of the National Defense Authorization Act of 2002 (PL 107-107) and implemented by [FAR 8.405-6](#). Mark the applicable exception:

- An urgent and compelling need exists**, and following the procedures would result in unacceptable delays([FAR 8.405-6\(a\)\(1\)\(i\)\(A\)](#));
- 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; ([FAR 8.405-6\(a\)\(1\)\(i\)\(B\)](#));
- In the interest of economy and efficiency, the new work is **a logical follow-on** to an original Federal Supply Schedule order and the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. **The original order was not previously issued under sole-source or limited-sources procedures** ([FAR 8.405-6\(a\)\(1\)\(i\)\(C\)](#)); or
- Items peculiar to one manufacturer.** An item peculiar to one manufacturer can be a particular brand name, product, or a feature of a product, peculiar to one manufacturer). A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer ([FAR 8.405-6\(b\)](#)).
- Statutory Authority**

5. Rational/explanation to support cited authority:

The Government is using the authority of Public Law 109-461 for this limited source order. VAAR 819.7007 says:

[819.7007 Sole source awards to a verified service-disabled Veteran-owned small business.](#)

(a) A contracting officer may award a contract to a verified SDVOSB concern using procedures other than competitive procedures provided—

(1) The anticipated award price of the contract (including options) will not exceed \$5 million;

(2) The justification prepared pursuant to [FAR 6.302-5\(c\)\(2\)\(ii\)](#) is posted in accordance with [FAR subpart 5.301\(d\)](#);

(3) The SDVOSB concern has been determined to be a responsible source with respect to performance; and

(4) In the estimation of the contracting officer, contract award can be made at a fair and reasonable price that offers best value to the Government.

(b) The contracting officer's determination to make a sole source award is a business decision wholly within the discretion of the contracting officer. To

ensure that opportunities are available to the broadest number of verified SDVOSBs, this authority is to be used judiciously and only when in the best interest of the Government.

(c) A determination that only one SDVOSB can meet the requirement is not required. However, in accordance with [FAR 6.302-5\(c\)\(2\)\(ii\)](#), contracts awarded using this authority shall be supported by a written justification and approval described in [FAR 6.303](#) and [6.304](#), as applicable.

(d) When conducting a SDVOSB sole source acquisition, the contracting officer shall ensure the business meets eligibility requirements [819.7003](#).

(e) A procurement requirement estimated to exceed the legislative threshold of \$5 million shall not be split or subdivided to permit the use of this SDVOSB sole source authority.

While Romanyk Consulting is not the only SDVOSB that can meet this requirement, it is in the best interest of the Government to place this limited source order to Romanyk Consulting Corporation (VAAR 819.7007(b) and (c)). In 2014, Romanyk Consulting Corporation conducted a large scale gap-analysis study of the presence and lack thereof of healthcare resources in the Hawaiian islands and the Western Pacific Insular Islands. The present feasibility study is somewhat of a follow-on to the previous study. This study will focus on the feasibility of establishing a Community Based Outpatient Clinic in the Western Pacific Insular Islands. The analysis will focus on the VA and non-VA resources of healthcare options in the Western Pacific Insular Islands and will include a demand and capacity determination. The final report will include proposed alternates to the status quo. Given Romanyk Consulting Corporation's prior experience and intimate knowledge with this issue, they are the most capable vendor to perform this follow-on study.

As part of market research and in arriving at the best interest determination, the Government considered alternatives such as competing the requirement as a 100% SDVOSB set aside. However, the terms of Mission Act require a final report be submitted to the U.S. Senate no later than 180 days after the passage of the Act, which is December 3, 2018. Given the somewhat unreasonable suspense for the report and given the long lead times required in government contracting, it is impracticable if not impossible to expect an award and completion of this type of feasibility study by December 3, 2018. Romanyk Consulting Corporation is the only company in the position to be able to complete this feasibility study by the Act's deadline.

The Government will evaluate Romanyk's pricing as compared to the GSA labor rates and evaluate its labor mix for price fair and reasonableness prior to award.

6. This determination satisfies the requirements of [FAR 8.405-6](#). The requirement to prepare a written justification [IAW FAR 6.303](#) does not apply to Federal Supply Schedules.



Brian Sanko
Contracting Officer
Deputy Director of Contracting, NCO 21
Date: _____