

Chapter VI : Other Than Full and Open Competition (OFOC) SOP
Attachment 3: 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: VA256-16-AP-7879 (Long Term Contract)

1. Contracting Activity:

Department of Veterans Affairs, NCO 16,
G.V. (Sonny) VA Medical Center
715 south Pear Orchard Road, Plaza One
Fiscal Year 2019 - Purchase Request NO. TDB (Medical Center AD has approved funding)

2. Nature and/or Description of the Action Being Processed:

Addendum: Mr. Terry Spitzmiller signed this Justification with the agreement that the following information was incorporated.

The necessity for processing this 1 Year Contract as other than full and open competition is due to the need for corrective action for the long term Award that was canceled on 7/24/2018 after a GAO decision. End of Addendum

This proposed sole source acquisition is to obtain, by use of other than full and open competition for the procurement of Primary Care Services & Mental Health Services in McComb, MS by means of a Bridge Contract to the incumbent contractor. The current Contract # is 36C25618D0029 which expires 10/31/2018. A 1 Year bridge Contract (with a 6-month Option Period) will allow adequate time for a new Base plus 4 Option Year Contract to be put in place. It is estimated the new Solicitation will take 4-5 months from Solicitation to Award. Additionally, it has been taking VA OIT around 6 months to get Network access to a new Clinic and to move phone lines (if not Awarded to the Incumbent). This service shall be provided at the current contractor's clinic in McComb MS. The long-term competitive contract is nearing the posting of the Solicitation.

3. Description of Supplies/Services Required to Meet the Agency's Needs:

The proposed action is to provide continued Primary Care Services & Mental Health Services to bridge the gap until the new Award can be made. Contractor provides primary care services for eligible veterans in the McComb catchment area.

The proposed sole source action will be awarded for the period beginning 11/01/2018 through 10/31/19.

Estimated Value: \$1.9M

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 McComb MS CBOC provides a critical service for our ever-growing Veteran population. The current contract is expiring 10/31/2018 but currently provides the needed services and has proven to be beneficial to the veteran constituents of the Gulf Coast area.

C R & Associates have been providing Primary Care & Mental Health Services since 2001 under various contract awards. They have worked very closely with the G.V. (Sonny) Montgomery VA Medical Center staff, patients, and resources within the CBOC. They have also gained significant knowledge of the current and daily operations. This continued relationship is crucial to patient care until a new contract is put into place. C R & Associates has an intimate knowledge of the patients, VA requirements, and G. V. (Sonny) Montgomery VA Medical Center infrastructure. If another vendor is selected, additional risk would be incurred as the new contractor's staff may not fully understand the care required nor have the experience to care for our unique veteran population. Furthermore, another source would require at least a minimum of ninety (90) to one-hundred (120) days start up time to include background and credentialing/privileging and also a learning curve while gaining familiarity with the G. V. (Sonny) Montgomery VA Medical Center computerized patient record system (CPRS) and our veterans. This is time that is not available except with the new long-term solicitation.

A new Award is in process which will be for a base period and include four (4) twelve-month option periods. The VA has a very lengthy review process that includes an integrated Product Team, the Medical Sharing Office (which includes Patient Care Services and Legal) and the Contract Review Board.

Without this Bridge contract, the McComb CBOC would have to completely shut down which would cause our Veterans to have to seek their healthcare elsewhere. This could also negatively affect our Veterans continuity of care and would also have economic repercussions on the Government as the cost of their outside healthcare would be significantly higher than providing it at the current location. With services provided at the current clinic, the VA has quality monitoring controls in place to measure the exceptional care that our Veterans receive and deserve. This same quality monitoring is not afforded to the VA when care is provided outside in the community which could deem fatal for our Veterans in certain cases.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

Due to time and the complexity of this requirement, no Solicitation will be released for this Bridge Contract. A Full and Open Solicitation will be released for the Long-Term requirement in the coming months.

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

The previous long-term contract (Competitive) pricing was based on a current enrollment panel of 2250. Rental of office space and other related overhead costs are included in the price. These prices were deemed fair and reasonable at the time of contract award which was a Full and Open Competitive Solicitation. It is anticipated a slight increase (6.5%) in cost will be requested from the contractor to ensure continuity of services can be accomplished. Internally, based on the continued duration of a 1-year Bridge Contract, there are several logistical issues for the incumbent to overcome with their subcontractors, landlord, providers, staff, and vendors to continue uninterrupted, guaranteed services. Provider salaries have risen for both NPs and MDs an average of 10% company-wide in the past year. There is even more upward pressure on salaries in remote

areas, such as McComb, which require special incentives and sign-on/retention bonuses to keep staff at the location or to recruit viable candidates. The CO has determined that the estimated prices submitted by the contractor are fair and reasonable.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

No market research was conducted for this interim sole source requirement. This is an established CBOC and the competitive long-term solicitation is currently in the MSO solicitation review phase. However, due to the situation and the necessity to have uninterrupted services, the contractor must be familiar with the GVMVAMC requirements and be able to immediately provide the required services.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

Requirement is not suitable for competition among all other interested parties at this time. This is due to the amount of time it requires to credential the physicians and the process their background checks. If there are no current veteran primary care clinics that meet those specific requirements, then this would truly cause undue harm to the patients and the Government if not acquired from the current contractor, C R & Associates, at this time and as stated in Paragraph 5 above.

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

C R & Associates

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 Government will continue processing the long-term competitive requirement, which is currently being worked.

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.

Lasha V Baylis
500630

Digitally signed by Lasha V Baylis
500630
Date: 2018.10.09 14:18:47 -05'00'

LaSha Baylis
CBOC, Coordinator
G. V. (Sonny) Montgomery VAMC
Jackson MS 39216

Date

13. Approvals in accordance with 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.

Billy R. Morris
381997

Digitally signed by Billy R.
Morris 381997
Date: 2018.10.11 13:19:02
-05'00'

Billy R. Morris
Contracting Officer
CAVHS , North Little Rock, AR
Network Contracting Office 16

Date

- b. **P&C:** I certify the justification meets requirements for other than full and open competition.

Bennett W.
Smith 934403

Digitally signed by Bennett W.
Smith 934403
Date: 2018.10.11 13:23:53 -05'00'

Bennett Smith
Branch Chief, Medical Sharing Team A
Network Contracting Office 16

Date

- c. Director of Contracting/Designee (Required \$150K and above): I certify the justification meets requirements for other than full and open competition.

AARON VILLALPANDO 178014

Digitally signed by AARON VILLALPANDO 178014
Date: 2018.10.12 16:28:25 -05'00'

Aaron Villalpando
Director of Contracting
Network Contract Manager
Network Contracting Office 16

Date

- d. VHA SAO HCA REVIEW AND APPROVAL: I certify the justification meets requirements for other than full and open competition.

TERRY L.
SPITZMILLER
394683

Digitally signed by TERRY
L. SPITZMILLER 394683
Date: 2018.10.23 13:03:55
-05'00'

Terry L. Spitzmiller
Acting Executive Director, SAO Central

10/23/2018

Date