

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** The U.S. Department of Veterans Affairs, Network Contracting Office 22 (NCO), located at 5901 East Seventh Street, Building 149, Long Beach, CA 90822-5201 proposes to enter into a firm fixed price sole source contract for the VA Greater Los Angeles Healthcare System (VAGLAHS) with their Medical School Affiliate for Electroconvulsive Therapy. Services to be performed at the University of California (UCLA) Neuropsychiatric Hospital, 760 Westwood Plaza, Los Angeles, CA. The Purchase Request Number is 691-13-1-093-0001.
2. **Nature and/or Description of the Action Being Processed:** The requirement is to provide procedural services of Electroconvulsive Therapy (ECT). The action will be awarded as a new Healthcare Resource Purchase Order. Services to be procured on a firm-fixed price basis at 100% of the current Medicare Rate. Services will be procured on a procedural basis using CPT Codes.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The requirement is to provide Electro Convulsive Therapy (ECT) Treatment services to patients of the VAGLAHS Psychiatry (Mental Health) Department. Estimated cost of this short term contract is \$34,000.00 to cover two months of services while research is conducted by the NCO and decisions can be made as to how to approach a long term contract. A six month option to extend FAR Clause 52.217-8 has been included in this Healthcare Resource Purchase Order in the event more time is needed to finalize a long term contract. A solicitation having been thru Legal and Technical Review exists, however, it must be reviewed and decisions must be made as to how to proceed. The period of performance will be from October 1, 2012 through November 30, 2012. The ECT treatment procedure is complex and requires a high degree of technical skills, equipment and expertise as well as intensive quality oversight, locally and by external agencies such as the Joint Commission. UCLA/NPH has the expertise and support services needed to provide the important treatment for severe mental disorder patients. Currently, VAGLAHS do not have enough ECT trained staff. (i. e, specifically trained nurse(s), and anesthesiologist with expertise in ECT trained staff). Because of the geographical constraints of Veteran populations; UCLA/NPH is closest to the VAGLAHS and the only medical facility within a 10 miles radius of VAGLAHS that is able to provide the ECT therapy treatment services.
4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §253(c)(1), as implemented by FAR 6.302-1.*

- (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):** UCLA's Neuropsychiatry Hospital has the expertise, equipment, facilities and quality assurance processes in place to provide this important treatment services to veterans. Like other treatments that share these characteristics, it's best done by centers performing a high volume of the procedures. UCLA/NPH is the incumbent and has demonstrated outstanding high quality care services. VAGLAHS has found that the VA Patients have developed a good relationship with the clinical staff at UCLA which is very important to mental health care. These patients suffer from extreme mental illness and require continuity in their care – Changing providers, cancelling or delaying appointments would be detrimental to their health and mental state. UCLA is the only provider within a 23 mile radius capable of providing this service. The required radius is 10 miles from VAGLAHS. UCLA is within 5 miles of VAGLAHS. Serious transportation problems would occur if ECT treatments/services were moved outside of the radius restriction. Moving services to a location outside the radius would have a direct impact on veteran's access to medical care. The ability of VAGLAHS to provide patient care needs in ECT Services would be severely jeopardized if continuance of services were not secured. A contractual vehicle is needed while a longer term contract is put into place.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Refer to paragraph 8 below.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The estimated cost for this time period is \$34,000.00. The number of ECT sessions needed to treat a depression varies considerably from patient to patient. The services will be procured on a per procedure basis using CPT Codes – payable at 100% of the current Medicare Rate. This pricing is considered to be fair and reasonable, especially when the scarcity of this resource in the Los Angeles area is taken into consideration.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research has been conducted using the World Wide Web (Google and Superpages.com) for Mental Health Resources in the Los Angeles Area offering Electroconvulsive Therapy (ECT). A radius search was done identifying resources within a 23 mile radius. Each of those Facilities was contacted. None offer ECT Services. A Sources Sought Notice issued in November of 2011 did not result in any respondents. A sources sought synopsis was not issued for this short term requirement.

Cedars-Sinai Medical Center Thaliens Mental Health Center 8730 Alden Drive, Los Angeles, CA 90001	5.2 Miles
Kindred Hospital 5525 W. Slauson Ave, Los Angeles, CA	7.4 Miles
LA County Mental Health 1224 Vine Street, Los Angeles, CA	8.7 Miles
Los Angeles Doctors Hospital 22215 Western Ave, Los Angeles, CA	20 Miles
MCLA Psychiatric Medical Group 1560 E. Chevy Chase Drive, Glendale, CA	23 Miles

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: Without these services the Veterans would be denied proper care. The Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.
10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: No other resources expressed an interest in this acquisition.
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 solicitation that has been thru Legal and Technical Review will be reviewed for sufficiency. If a decision is made to cancel and develop a new solicitation, full consideration and action to find other resources will be made.
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.



Michelle McKnight
Administrative Officer, Psychiatry
VA Greater Los Angeles Healthcare System

September 28, 2012

Date

13. Approvals in accordance with FAR 6.304

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



Tanya Aguilar-Barraza
Contracting Officer
VISN 22 Network Contract Office

September 28, 2012

Date

- b. NCM/PCM (Required \$3K and above): I certify the justification meets requirements for other than full and open competition.



Kevin W. Blanchard
Network Contract Manager
VISN 22 Network Contract Office

September 28, 2012

Date

10-4-2012