

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:** Department of Veterans Affairs, Network 16 Contracting Activity, Biloxi Medical Center. Justification for Other Than Full and Open Competition for 2237# 520-13-3-825-0027.

**2. Nature and/or Description of the Action Being Processed:** Non-Emergent Ambulance Transport Services (for a 30-Day "Bridge" Purchase Order until the new formal non-emergent ambulance transport service contract can be awarded under RFP VA256-12-R-1587).

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** Non-Emergent Ambulance Transport Services (for a 30-Day "Bridge" Purchase Order until the new formal non-emergent ambulance transport service contract can be awarded under RFP VA256-12-R-1587) to be provided by Mobile Medic Ambulance Services (dba "American Medical Response" or "AMR"). The total estimated value of the acquisition is [REDACTED] The Period of Performance is 1 – 30 Apr 13.

**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):** Ambulance Service Licensing in the State of Mississippi falls under the Bureau of Emergency Medical Services (BEMS) and they license ambulance services by location and issue permits for each vehicle operated at the location licensed. Harrison County MS has elected to adopt an Ordinance in order to obtain for its citizens the following advantages: (1) access to emergency medical services of superior quality, quantity, and economic stability; (2) economies of scale and cost containment; and (3) access to disaster response capabilities superior to those which would be otherwise be available. Harrison County MS has entered into an agreement with AMR to provide advanced life support emergency medical services (911 Service) for the residents of Harrison County, MS. As such, AMR has the already obtained the required permits and licensing necessary to operate an ambulance service in Harrison County and already has the necessary equipment and manpower to be able to provide non-emergent ambulance transport



services to the VAGCVHCS. Per the Harrison County Ordinance, it is clear that AMR has "exclusive 911 call responsibility" for Advanced Life Support Emergency Medical Service in Harrison County. It is also clear that any company that wants to provide non-emergency ambulance services must also have (1) an Ambulance Service License and (2) an Ambulance Service permit. In addition, before any licensure or permitting is granted, a company must file an application for a Certificate of Necessity. Section 9: Ambulance Service License, Paragraph 9.01, of the Harrison County Ordinance states "No entity may provide emergency or routine/nonemergency ambulance services originating with the County without (i) first obtaining an Ambulance Services License issued pursuant to this Section 9, or (ii) being sanctioned by the Operations Contractor." AMR was the only company to respond to our recent Non-Emergent Ambulance Transport Services RFP (VA256-12-R-1587) and they are the only know company that has the required licenses to operate and provided the required services in Harrison County, MS.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The undersigned recently conducted extensive market research under RFP VA256-12-R-1587 in an attempt to find anyone else (besides AMR) who would be interested in providing non-emergent ambulance transport services to the VAGCVHCS. Only one proposal was received in response to the subject solicitation (from AMR). In this instance (for the 30-Day "Bridge" Purchase Order), we do not believe that trying to resolicit for a requirement of this size is going to yield any better results than our efforts to solicit for a much larger requirement (as under RFP VA256-R-1587). It is clear that AMR is the only company that has the necessary equipment, manpower, and licenses/permits to be able to provide non-emergent ambulance transport services in Harrison County, MS. As such, our efforts will be to solicit a quote from AMR for the VAGCVHCS' requirements.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The undersigned Contracting Officer will seek copies of price lists from other non-emergent ambulance service contracts showing where similar services were provided to other VA's or Governmental customers. The undersigned will also compare the contractor's proposed prices to the prices that were previously found to be fair and reasonable under NCO 16 VAGCVHCS Contract # VA256-P-0805.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Extensive market research was conducted in an attempt to find any size businesses that would be interested in any of our non-emergent ambulance transport service requirements. While we recently solicited under a different requirement (VA256-12-R-1587), there were no Service Disabled Veteran Owned Small Business (SDVOSBs) or Veteran Owned Small Business (VOSBs) that responded to our Sources Sought Notice that was posted on July 25, 2012 and continued to be present on the Federal Business Opportunities website through December 1, 2012. Further, while 13 different Veteran Owned Businesses (SDVOSBs and VOSBs) were identified under a NAICS Code search of



621910 in the VetBiz Registry, only 1 of the 13 companies identified in the search actually provides ambulance services (and then only in the Des Moines Iowa Metropolitan Area). The other 12 companies listed provided a wide range of services but nothing in the non-emergent ambulance transport service area. Because a company would (1) have to represent that it is a SDVOSB or a VOSB concern at the time they submitted a proposal, (2) that it is a small business concern under the NAICS Code assigned to the acquisition, and (3) that it is verified for eligibility in the VIP Database, it is extremely unlikely that we would have any SDVOSBs or VOSBs interested in this requirement that already have the VetBiz Registry Seal/Icon/Verification at the time of proposal submission. A review of the SAM website under NAICS Code 621910 revealed 808 different companies of various sizes with some involved in the ambulance transport business and other clearly not. While there are numerous ambulance transport companies listed, there is not much hope of any of them (who are small businesses) wanting to expand from their particular catchment areas to Biloxi/Gulfport MS area just to handle our non-emergent ambulance transport service requirements. A GSA eLibrary search under NAICS Code 621910 revealed zero companies in the Ambulance Services industry having a Federal Supply Schedule. A search for any minority owned, CDC owned, self-certified SDB's, service-disabled veteran owned, veteran owned woman owned, WOSB's, EDWOSB's WOSB joint ventures and/or EDWOSB joint ventures under NAICS Code 621910 in the SBA Dynamic SBR revealed 259 profiles containing at least one of the search criteria matches. On the list were numerous companies that provided ambulance transport services but all appeared to supply these services in a certain particular area of the country only. Based upon a search of the above websites/databases for small business sources of supply for ambulance transport services, it is clear there are not currently any small businesses in the tri-state area or anywhere else in the country that currently have the interest and the necessary equipment and manpower to be able to branch out into the Biloxi/Gulfport MS area to handle only our non-emergent ambulance transport services requirements.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** We know of no other companies (of any size) that currently have the necessary equipment, manpower, and licenses/permits to be able to provide the required non-emergent ambulance transport services to the VAGCVHCS.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** Central Emergency Management Services was the only company other than AMR that responded to our Sources Sought Notice under RFP VA256-12-R-1587. While they showed an interest in that particular requirement, they did not submit a proposal.

**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:** We will continue to search for sources of supply in the commercial market to see if any other companies are able to break into the local Harrison County commercial non-emergent transport service market.

**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.

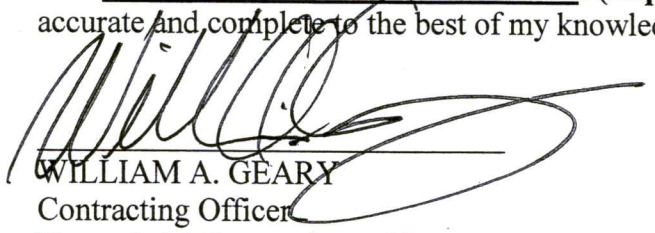
  
ANTHONY A. JACKSON  
Chief, Medical Administration Service  
VAGCVHCS - BILOXI MEDICAL CENTER

March 25, 2013

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Date

**13. Approvals in accordance with FAR 6.304**

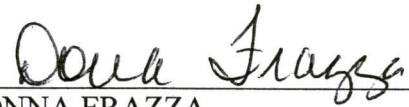
**a. Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
WILLIAM A. GEARY  
Contracting Officer  
Network 16 Contracting Office

March 25, 2013

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Date

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

  
DONNA FRAZZA  
Chief, Purchasing and Contracting  
Network 16 Contracting Office

March 25, 2013

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Date