

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition
521-13-1-829-0001

1. **Contracting Activity:** Department of Veterans Affairs, Network Contracting Office (NCO) 7, 700 S. 19th Street, Birmingham, AL 35233. This is a NCO 7 procurement justification for other than full and open competition. The solicitation number associated with this procurement is VA247-13-R-0001.
2. **Nature and/or Description of the Action Being Processed:** Sole Source Procurement of Services for Critical Care Transportation Services for the Birmingham VA Medical Center from University of Alabama At Birmingham, Critical Care Transport, 619 South 19th Ste., Bldg ABC, Birmingham, AL 35233. Previous Contract VA247-P-1146.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The purpose of this acquisition is to procure critical care transportation services to or from the facility for beneficiaries of the Department of Veterans Affairs Medical Center in Birmingham, AL to include specially equipped ambulances and airplanes carrying a registered nurse and a respiratory therapist, and a physician as needed within a 1,300 mile radius. Reimbursement is based on the number of trips, method of transportation, distance, and treatment team.
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 University of Alabama at Birmingham is the only source in the Birmingham metro area that can provide critical care transportation to include the highly specialized equipment and personnel necessary for the transportation of critical needs patients. These services cannot be performed by any other source in Birmingham area. The distance from any other major city where these services may be provided would result in unacceptable delays in patient care.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A GSA and internet search were conducted to determine if there are any other vendors of this type in the Birmingham area which produced no results. Intent to Sole Source notice was posted on FBO 5 October 2012 under Solicitation number VA247-13-R-0001 which was "Material Integration, Inc". However several attempts through e-mail and phone were made to contact this vendor with no response. This is the same "interested vendor" that has appeared on

several of my Intent to sole source posts to FBO. It appears that every NAICS code is listed for them as well which is unlikely. It was determined that this vendor was not eligible to provide needed services.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Base Year Pricing of \$124,661.50 is determined to be fair and reasonable based on past awards of this requirement which were negotiated under the authority of VAAR 806.302-5(a)(2). Pricing for most recent contract number VA247-P-1146 is as follows:

1 Nov 09 – 30 Sep 10	\$105,490.00
1 Oct 10 – 30 Sep 11	\$113,249.00
1 Oct 11 – 30 Sep 12	\$116,636.00

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** As described in Section VI above, market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed acquisition (see paragraph 6 above), advising industry of the pending acquisition and soliciting inquiries from interested parties.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The current contract with UAB for these services expires 31 March 2013. This requirement not only requires Air and Ground Transportation, but also the services of medical professionals that may be needed during transport as well. In some cases these services are needed urgently and quick response is critical.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** "Material Integration, Inc". However several attempts through e-mail and phone were made to contact this vendor with no response. This is the same "interested vendor" that has appeared on several of my Intent to sole source posts to FBO. It appears that every NAICS code is listed for them as well which is unlikely. It was determined that this vendor was not eligible to provide needed services.
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 equipment and personnel are so specialized that an effort to remove barriers for competition will not be taken.
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.

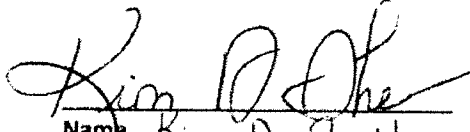


Name: Phyllis Sullivan
Title: Chief, BMS
Facility: Birmingham VAMC

10/18/12
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.


Name Kim D. Shelton
Title VISA 7
Facility Supervising Contract 4

10/18/12
Date

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


DEBORAH F. MATTINGLY
Network Contract Manager
NCO 7

11/7/12
Date