

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

**1. Contracting Activity:** Department of Veterans Affairs, Network Contracting Office 16, G. V. "Sonny" Montgomery VA Medical Center, Jackson, MS

Justification for Other Than Full and Open Competition, Unusual and Compelling Urgency

Funding Provided: 586-13-2-1913-6940

**2. Nature and/or Description of the Action Being Processed:** Approval is sought for contract award without competition as a means to continue vital services while a competitive procurement takes place.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** The current Durable Medical Equipment (DME) contract provides for the storage, home delivery, installation, training, maintenance and repair of VA provided medical equipment for beneficiary/patient treatment of medical conditions. Service includes emergency delivery and repair.

**4. Statutory Authority Permitting Other than Full and Open Competition:** Unusual and Compelling Urgency per FAR 6.302-2

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** Contract VA256-P-0299 was awarded to SS Medical, Inc. on April 14, 2008. The contract provided for services described above for a base period of six months with four options of one year each available for Government exercise. All four options were exercised with final option period ending on September 30, 2012. Continued performance has been authorized under 52.217-8 Option to Extend Services. This extension of service expires on March 31, 2013. During the five years of continuous performance, the contractor has performed in a satisfactory manner; all services have been in accordance with Joint Commission requirements.

The follow-on procurement for continuation of home medical equipment services is underway. The contract award is not anticipated until after the 52.217-8 extension expires.

The home medical equipment services are vital to the treatment and well being of the veterans being served. Failure to insure uninterrupted service—especially emergency delivery and repair services—could jeopardize not only veteran well being but could prove to be life threatening. In order to insure veteran safety, a sole source award to SS Medical is warranted.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** No other offerors have been solicited. Award to other than SS Medical would require a phase in period. Existing VA inventory in SS Medical possession would have to go through an inventory and turnover process. Scheduled maintenance of home equipment in place would have to be rescheduled. There is not sufficient time for phase in prior to the expiration of the extension of services.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** SS Medical has agreed to maintain all pricing at the at 2012 negotiated price levels. The firm has waived application of escalation for a one year continuation of services contract.

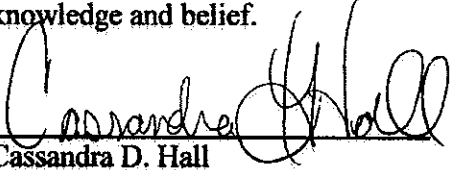
**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research was not conducted. Award to other than SS Medical would require a phase in period. Existing VA inventory in SS Medical possession would have to go through an inventory and turnover process. Scheduled maintenance of home equipment in place would have to be rescheduled. There is not sufficient time for phase in prior to the expiration of the extension of services.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** Award to SS Medical without competition provides uninterrupted service thus insuring veterans will continue to receive and maintain functioning medical equipment needed for the treatment of medical conditions. Failure to continue service could be considered a failure of the VA to protect veterans under their care against unreasonable risk of harm.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None.

**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:** A competitive procurement for DME services is underway.

**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.

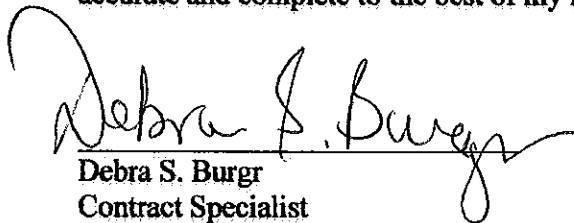
  
Cassandra D. Hall  
Chief, Prosthetics & Sensory Aids Service  
G. V. "Sonny" Montgomery VA Medical Center

3-20-13

Date

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

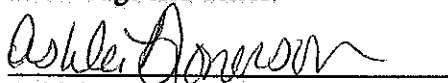
**a. Contract Specialist's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Debra S. Burg  
Contract Specialist  
NCO 16, Jackson

3-20-2013  
Date

**b. P&C:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Ashlei Donerson  
Acting Chief, Purchasing and Contracting  
NCO 16, Jackson

3/28/2013  
Date