

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, James E VanZandt VA Medical Center is the contracting agency and the Health Information Management Service is the organizational activity responsible for the proposed contracting action. This is a Justification for Other Than Full and Open Competition.
2. **Nature and/or Description of the Action Being Processed:** The action being processed is the remote medical transcription service contract for the Altoona, Butler, and Clarksburg VA Medical Centers. The action will be awarded as a new contract, and a firm-fixed price blanket purchase agreement is planned.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Remote medical transcription services will be acquired. The estimated value of the contract is 720,000 lines of transcription for a total value of \$108,000.00. The period of performance is May 1, 2013 through July 31, 2013.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - ( ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
  - ( X ) (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 Altoona, Butler, and Clarksburg VA Medical Centers currently have a remote medical transcription contract with Digital Transcription Services. Since the award of the previous contract with DTS, the company has changed it's name to Veterans Medical Transcription Services. The current contract expires on April 30, 2013.

The Altoona Contracting Office had prepared the solicitation to request quotes in January 2013, with the intent to award a new base and 4 option year contract prior to the expiration of the current contract. In January, the acquisition package was submitted for approval. The acquisition package was approved on February 14, 2013. The Contracting Officer submitted the solicitation for technical review on February 15, 2013. The technical review was completed March 14, 2013. The technical review was sent to the SAO technical reviewer on March 14, who signed off on it March 21, 2013. The legal review request was submitted on April 8th, and was completed April 15, 2013.

Due to the lengthy delays in the approvals from the legal and technical reviewers, the solicitation has not been posted as of April 17, 2013. There is not enough time to re-solicit a contract prior to the expiration of the current contract on April 30, 2013. Remote medical transcription services are required to provide patient care at each of the medical centers, and cannot be stopped until a new contract is in place. Therefore, an interim contract is required to bridge the period of performance from the existing contract until the estimated start of a new contract (August 1, 2013).

Digital Transcription Services currently has the background investigations, computer hardware / software, staffing, and all required supplies and service capabilities to perform the remote medical transcriptions services required for this contract. The company is currently hooked into the VA network, and is connected to each of the medical centers. The company is currently performing the required services, and no further work is required to continue the services. No other company could have the requirements in place to perform these services prior to the expiration of the current contract.

A sole source contract is required for continuous remote medical transcription services until the new contract is awarded.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** A solicitation for full and open competition (after exclusion of sources) is currently in CRT review for the future procurement of these services.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated cost of services has been determined to be fair and reasonable because it is the Contractor's GSA pricing and the current price paid for these services.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted, and the Contracting Officer found that no other company had the resources in place to perform the contract within the required timeframes. DTS has the resources currently in place and is currently performing services, and it is the only company capable of providing these services until a new contract is in place.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None.
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 solicitation is in CRT review for the subsequent acquisitions of these services. The subsequent acquisition will use competitive measures to the maximum extent practicable.
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.



Danielle Wilson  
Contracting Officer's Representative  
Altoona VA Medical Center

4/18/13

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.

Jennifer J Hoover  
Jennifer Hoover  
Contracting Officer  
Altoona VA Medical Center

4/18/2013  
Date

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

Michael G. [Signature]  
for Shawn Smith  
Name  
Network Contract Manager  
VISN/PCA X

18 APR 13  
Date

