

Attachment 2: Request for Sole Source Memo Format

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** The U.S. Department of Veterans Affairs NCO 19, Contracting Office located at 4100 E. Mississippi Ave Suite 900 Glendale, CO 80246 proposes to enter into a firm-fixed price contract on the basis of justification for other than full and open competition for the VA Salt Lake City Health Care System. The purchase request number is: 660-13-4-024-0990.
2. **Nature and/or Description of the Action Being Processed:** The VA Salt Lake City Health Care System requires pharmacy technician services to support their pharmacy. In order to ensure continuity of services a bridge task order is proposed. This requirement was initially competed for 5200 hours of pharmacy technician services. The pharmacy is reporting additional hours are required due to the Human Resource (HR) department not processing new staff quickly. Instead of performance for 5200 hours (or 10 technicians) the pharmacy requires 6760 hours (or 13 additional technicians). The documentation in the file indicated that 20 pharmacy technicians were needed to run the pharmacy, and that 10 would be hired. At this time 7 are pending hire by HR, and only 13 are required to assist in the pharmacy. This is a significant change in scope. The Contracting Officer is also unsure what the HR timeline is to hire the remaining 6 technicians. The current Contractor, AB Staffing Solutions, has provided quality pharmacy technician services for the VA Salt Lake City Health Care System. The proposed bridge contract's period of performance would be from July 1, 2013 to September 30, 2013. This is being put into place until the Government can reassess their needs and re-compete the requirement. If HR continues to successfully hire the technicians there may not be a need to solicit for these services at all in the near future.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This is for a locum tenem procurement for pharmacy technicians for both the inpatient and outpatient pharmacies. The Human Resources Department is in the process of hiring technicians, and this procurement would be to keep the pharmacy functional:
4. **Statutory Authority Permitting Other than Full and Open Competition:** *41 USC §253(c)(1), as implemented by FAR 6.302-1. The specific paragraph must be cited. Most likely, only the -1 or -2 authorities will be cited. Please be aware that failure to adequately plan for future requirements does not constitute appropriate use of the unusual and compelling urgency statutory authority.*
 - () (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):**

b. Unusual and Compelling Urgency (FAR 6.302-2, 6.303-2(a)(9)(ii)) – This requirement was competed without any successful offerors. At the time of competition the scope was for 10 technicians or 5200 hours. This has changed to 6760 hours, or 13 technicians. Initially the Contracting Officer was notified that 20 technicians were needed in order to successfully run the pharmacy. At this time the number of technicians needed is 13. Once the initial 10 technicians are hired there would only be a need for 3 technicians, so this requirement may be moot once HR finishes their hiring process.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This requirement was competed on the Federal Supply Schedule with a total Service Disabled Veteran Owned Small Business Set Aside. However since it was initially competed, the customer has notified Contracting that the requirement has changed from 5200 hours to 6760. As a result this requirement will be reassessed and re-competed at a later date.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The incumbent contractor is currently working under a task order from their Federal Supply Schedule contract. The rates of that contract have already been determined to be fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** This requirement is available on the Federal Supply Schedule. The incumbent Contractor has been performing under a federal schedule task order.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** This requirement was competed with few responses. Of those responses none of the offerors were determined to be technically acceptable, or financially responsible. The customer has notified the Contracting Office that the requirement has changed in scope from 5200 hours of performance to 6760 due to the HR Department not processing their recently hired staff before their current task order expires. In order to meet the Government's need and ensure a smooth transition, a sole source procurement for a three month period of performance is recommended.

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** The requirement had five respondents when it was competed for 5200 hours of performance. The need has changed significantly from what was initially solicited. In order to ensure continuity of care an extension of services with the incumbent Contractor is recommended.

AB Staffing Solutions
2680 S. Val Vista Dr
Ste 154

Gilbert, AZ 85295-1636

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:** Once the Government better defines the need, and has the staff processed by HR, then the solicitation will be competed.

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.



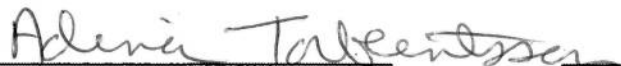
John Horton
Director of Pharmacy
VA Salt Lake City Health Care System

7/1/13

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.

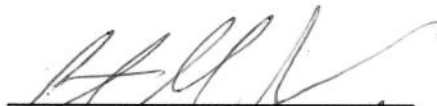


Adina Torberntsson
Contracting Officer
NCO 19

7/1/13

Date

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



Gary Arwood
Deputy Network Contract Manager
NCO 19

7/1/13

Date