

**DETERMINATION AND FINDINGS FOR A
SOLE SOURCE CONTRACT**

Contract No: DCHT-2016-C-0003
Caption: Temporary Staffing Services
Proposed Contractor: Universal Home Healthcare, Inc.
Program Agency: Department of Health Care Finance

FINDINGS

1. Authorization:

D.C. Official Code §2-354.04, 27 DCMR § 1304, 1700, and 1701

2. Minimum Need:

The Department of Health Care Finance (DHCF or the Agency) of the District of Columbia (District) has a minimum need to continue Temporary Staffing Services for personnel to ensure the District meets the needs of DC Medicaid beneficiaries (“Beneficiaries”) who have been determined eligible for, and in need of, Personal Care Aide (PCA) services. The Medicaid beneficiaries are adversely impacted by the suspensions of Medicaid payments and/or closures of Home Health Agencies (HHAs) due to allegations of Medicaid fraud.

3. Estimated Reasonable Cost:

The estimated fair and reasonable price to provide the required services for the Period of Performance from January 1, 2016 through September 30, 2016 shall be in the amount of \$7,000,000.00. The price is determined to be fair and reasonable, based on the changes to the reimbursement rates for Personal Care Aide (PCA) services effective January 1, 2015.

The Period of Performance shall commence from January 1, 2016 through September 30, 2016.

4. Facts Which Justify Sole Source Procurement:

It is necessary to enter into a Sole Source Contract with Universal Home Healthcare, Inc. (Universal), in order to avoid disruption of the essential PCA services to the Beneficiaries, and nursing staffing needs, to ensure continuity of care to the Beneficiaries, and to ensure compliance with Federal and District mandates Chapter 50, Medicaid Reimbursement For Personal Care Aide Services, of Title 29, Public Welfare, of the DCMR § 5000, *et seq.*, Provider Qualifications, and to allow DHCF time to transition beneficiaries to other Home Health Agencies.

The Beneficiaries were adversely impacted by the recent suspension of Medicaid payments and/or closure of HHAs.

Currently DHCF has three (3) contractors (Integrated Community Services, Inc., Lifeline, Inc., and MBI Health Services, LLC) to perform the services; these three (3) contractors do not have the capacity to provide PCA services to additional needed beneficiaries.

Universal provided these services through an Emergency procurement. The District solicited qualified contractors from the list compiled by Department of Health (DOH). This list is comprised of contractors who have a Certificate of Need (CON) or are in the process of receiving a CON. Universal had the capacity to provide the PCA services to the additional beneficiaries.

Universal has performed the required services satisfactorily under an emergency contract, which will expire on December 31, 2015. Removing the Beneficiaries that are currently in Universal's care from Universal would be potentially harmful to the Beneficiaries. The Beneficiaries are frail and elderly. The Beneficiaries require assistance in order to conduct regular daily activities such as bathing, dressing, taking their meals, etc. Providing continuity of care to the Beneficiaries is a top priority for DHCF, and this can only be achieved by keeping the Beneficiaries that are currently being served by Universal with Universal Home Healthcare, Inc. until a more permanent solution is determined by DHCF.

Universal is the only contractor available to continue providing this immediate requirement at the current level of expertise, without experiencing an interruption in these critical health services for District residents; to whom they are currently providing a PCA for the services. Universal has been satisfactorily providing these services since October 2015, and has been selected as a choice contractor to provide PCA services.

A market survey was conducted for this procurement. The Contracting Officer contacted potential sources (Keliz, Inc. and Americare in Home Nursing, Inc.) from the list provided by DOH. Universal was the only contractor available that have the capacity to provide PCA services to additional beneficiaries.

5. Certification by Agency Head:

I hereby certify that the above findings are correct and complete.

Date

Wayne Turnage
Director, DHCF

6. Certification by the Contracting Officer

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Helena C. Barbour

Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.04). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter III
Chief Procurement Officer