

**DETERMINATION AND FINDINGS
FOR
SINGLE AVAILABLE SOURCE CONTRACT**

CONTRACTING AGENCY: Department on Disability Services
CONTRACT NO.: DCJM-2015-S-0002
CAPTION: Provider Certification Reviews
CONTRACTOR: Liberty Healthcare Corporation

FINDINGS

1. AUTHORITY:

D.C. Official Code § 2-354.04(c), 27 DCMR § 1701.1

2. MINIMUM NEED:

The District of Columbia Office of Contracting and Procurement (OCP) on behalf of Department on Disability Services (DDS) (District) has a need to extend the sole source contract with Liberty Healthcare Corporation (Contractor) from March 8, 2016 to June 2, 2016. The contract was awarded to a vendor certified as a Quality Improvement Organization (QIO) or QIO –like entity by the U.S. Department of Health & Human Services (DHHS), Centers for Medicare and Medicaid Services (CMS). The Contractor shall continue to conduct Provider Certification Reviews (PCRs), Individual Support Plan (ISP) utilization reviews and Service Coordination Performance Audits of CMS Home and Community Based Services (HCBS) Waiver Providers for residents of the District of Columbia with intellectual and developmental disabilities (IDD). The contractor must have the capability to continue providing services starting on March 8, 2016 for a period of 87 days through June 2, 2016.

3. ESTIMATED FAIR AND REASONABLE COST:

The estimated fair and reasonable price for the contract is \$253,890.00 from March 8, 2016 through June 2, 2016.

4. FACTS WHICH JUSTIFY A SINGLE AVAILABLE SOURCE:

- A. The contract extension is required to ensure continuity of service by avoiding an interruption of these vital services until a long term contract can be put in place.
- B. Council approval to award a million dollar sole source contract was received in June 2015. The current contract was awarded on June 3, 2015 and expires on March 7, 2016. The proposed contract extension period is March 8, 2016 through June 2, 2016, a period of 87 days. The extended contract period will not exceed 12 months from the original date of award.

- C. Liberty Healthcare Corporation. (Liberty) is the only available company requiring no start up time and capable of continuing this service without interruptions, while a long term award is in process. The interruption of these services could pose a major threat to the District and jeopardize the health, welfare, and safety of persons with intellectual and developmental disabilities served by the District, as well as possibly pose a liability to the District Government for failure to maintain CMS quality assurances.
- D. The Contractor has performed these services satisfactorily for the past six (6) years.
- E. In anticipation of the expiration of this contract, OCP issued a request for proposal (RFP), DCJM-2016-R-0001, to solicit through a competitive sealed bid process. Proposals were received from two Offerors and evaluated.
- F. On February 18, 2016 the OCP's Performance Review Committee (PRC) convened and made recommendations that should be addressed prior to entering into negotiations with either Offeror. Not due to lack of effort or insufficient planning, time is not available to request additional information from both Offerors, evaluate proposals, then award prior to the expiration of the existing contract. Therefore, the District must continue to provide these services utilizing the existing contractor and under the same terms and conditions which currently exist until the award of the competitive long term contract.
- G. This notice of intent to extend the sole source contract with Liberty Healthcare Corporation will be posted on the Office of Contracting and Procurement website for the required ten days in accordance with 27 DCMR 1304.
- H. There is no other source that has been determined qualified under CMS guidelines that is reasonably available to perform the required services within the time period needed.

CERTIFICATION OF FINDINGS AND DETERMINATION

I have reviewed the above findings and certify that they are true, accurate, and sufficient to justify the use of the sole source method of procurement under the cited statutory authority. The services do not unnecessarily duplicate any previously performed work or services. I recommend the use of the single available source as the procurement method for this proposed contract extension period.

Based on the above findings and in accordance with the above-stated authority, I hereby determine that the District is justified in extending sole source Contract DCJM-2015-S-0002 to Liberty Healthcare Corporation as described above.

2/22/2015
Date



Marsha L. Robinson
Acting DDS Chief Contracting Officer