

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

**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 Beneficiaries are adversely impacted by the suspension 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 shall be in the amount of \$475,000.00. The price is determined to be fair and reasonable based on the changes to the reimbursement rates for PCA services effective January 1, 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 these essential PCA services. Furthermore, and nursing staff needs to ensure continuity of care for 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.

The Beneficiaries were adversely impacted by activities by the Federal Bureau of Investigations (“FBI”) and suspension of Medicaid payments and/or closure of HHAs. DHCF received approval from Center for Medicare and Medicaid Services (CMS) and Department of Health (DOH) to establish a temporary HHA within DHCF to ensure that each of the Beneficiaries affected by the suspension of Medicaid payments and/or closure of HHAs would have continuity of care with regard to PCA services. Universal was one of the contractors selected by DHCF to provide the PCA services. Universal has

performed the required services satisfactorily since it was awarded the contract. Removing the Beneficiaries that are currently in Integrated Community'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.

Previously, Universal provided these services through sole source 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 has the capacity to provide the PCA services to the Beneficiaries.

Universal is performing the required services satisfactorily under a sole source contract, which will expire on September 30, 2016. Removing the Beneficiaries that are currently in Universal's care 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.

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 has 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