U.S. Department of Justice
Federal Bureau of Prisons
Field Acquisition Office

U.S. Armed Forces Reserve Complex
Grand Prairie, Texas 75051

Justification for Other than Full and Open Competition (JOFOC)
FCI Phoenix

Pursuant to the Federal Acquisition Regulations (FAR) Subpart DEVIATION 6.103-1(b), the Federal Bureau of Prisons (BOP) has determined the procurement of Comprehensive Medical Services (CMS) for the Federal Correctional Institution (FCI), (hereinafter referred to as "institution"), located in Phoenix, Arizona, meets the criteria for other than full and open competition. The agency has further determined that only one responsible source is capable of providing these services, and that awarding the contract to this source is necessary to prevent serious injury, financial loss, or other significant harm to the Government. This limitation on competition is justified as follows:

1. FAR DEVIATION 6.104-1(a)(1): Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for other than full and open competition."

Agency: Department of Justice

Contracting Activity: Federal Bureau of Prisons
FCI Phoenix
37900 N. 45th Avenue
Phoenix, AZ 85086

This document is a Justification for Other Than Full and Open Competition (JOFOC).

2. FAR DEVIATION 6.104-1(a)(2): Nature and/or description of the action being approved.

This action seeks approval for the continuation of community and institution based comprehensive medical services with Naphcare. As the incumbent contractor, Naphcare has agreed to continue providing CMS at its prior Medicare benchmark rates through monthly firm-fixed-unit-price purchase orders until a new CMS contract can be competitively awarded. This interim acquisition is essential to maintain uninterrupted medical services for the inmate population pending award of a new CMS contract.

Award of a CMS contract is pending the resolution of a protest. An indefinite delivery/requirements contract incorporating Firm Fixed Unit Pricing is anticipate dto be awarded. Upon award of the competitive contract, further justification for other than full and open competition will no longer be necessary.

3. FAR DEVIATION 6.104-1(a)(3): A description of the supplies or services required to meet the agency's needs (including the estimated value).

The institution's mission includes providing comprehensive medical services to the inmate population. In meeting the healthcare needs of the inmate population, The BOP delivers essential medical, dental, and mental health care to Federal inmates. When a medical need arises that cannot be provided by the institution medical staff, referrals are made to community-based medical providers. Required services include inpatient and outpatient facility and physician services.

Due to the urgent nature of healthcare delivery, any delay in contract award would disrupt access to timely medical care and is incompatible with agency needs.

The proposed period of performance is July 1, 2026, through July 31, 2026, with an estimated total cost of $235,527.34.

4. FAR DEVIATION 6.104-1(a)(4): An identification of the statutory authority permitting other than full and open competition.

The authority for this action is granted under 41 U.S.C. § 3304(a)(1), as implemented by FAR DEVIATION 6.103-1, allowing for award to "Only One Responsible Source" when no other supplies or services meet the agency's requirements. Specifically, FAR DEVIATION 6.103-1(b) provides for the applicability of this authority in situations "when the supplies or services required by the agency are available from only one responsible source."

5. FAR DEVIATION 6.104-1(a)(5): A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

Award of a CMS contract is pending resolution of a protest, uninterrupted medical service delivery is critical. The immediate availability of community-based healthcare services is crucial to prevent any disruption in delivery of necessary medical services and to ensure the orderly operation of the institution. Transitioning to a new third-party administrator typically requires a minimum 30-day service commencement period for the provision of community-based services. Additionally, prior to performance, a complete security clearance investigation package for each institution-based provider is required to be submitted within 30 calendar days from the effective date of award of the contract and

typically takes an additional 30 days to be processed. Although market research has shown that comprehensive medical services are commonly available in the commercial marketplace and has identified several vendors capable of meeting the Government's needs, Naphcare, as the incumbent, is the only provider uniquely qualified to ensure seamless service delivery without any lapse in performance.

The Government has determined that it is in its best interest to continue utilizing the services of Naphcare, which is capable of providing the required medical services without delay. Naphcare's established medical network ensures that the institution's healthcare needs are effectively met. Naphcare has provided services to the institution for over five years through an established network of local medical facilities and physicians. Furthermore, Naphcare continues to provide various onsite outpatient services to address the Government's needs. All provider credentialing and background clearances have already been completed.

To maintain continuity of medical care for the diverse inmate population, continuing services with Naphcare and its network of medical service providers is essential in preventing delays and disruptions in the overall mission of providing both basic and emergent medical care. Any interruption in services would result in significant harm to the Government, adversely affecting patient care and causing operational disruptions for the inmate population.

6. FAR DEVIATION 6.104-1(a)(6): A description of efforts made to ensure that offers are solicited from as many potential sources as possible, including whether a notice was or will be publicized as required by part 5 and, if not, which exception under part 5 applies.

No additional sources were solicited as this requirement is for critical medical services and NaphCare, as the incumbent, is the only source capable of providing uninterrupted services without a lapse in care. Therefore, soliciting offers from additional sources would not be practicable and would not meet the Government's requirements.

A notice will be publicized as required by part 5.

7. FAR DEVIATION 6.104-1(a)(7): A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

Naphcare has agreed to continue providing services at rates consistent with option year four of contract 15B60818D00000001, which were established under competitive conditions and deemed fair and reasonable per FAR DEVIATION 15.404-1(b)(1). The Contracting Officer (CO) has analyzed the current market trend by comparing the option year four rates against historical prices paid for the same services in accordance with FAR DEVIATION 15.404-1(b)(2). Both the option year four rates and the historical prices paid for the same services have been determined to be fair and

reasonable. Continuing services with Naphcare during this interim period is in the Government's best interest.

8. FAR DEVIATION 6.104-1(a)(8): The market research conducted (see part 10) and the results or a statement of the reason market research was not conducted.

Market research for the provision of CMS is ongoing and includes sources such as a sources sought notice, SAM Small Business Search, Small Business Administration Dynamic Small Business Search, and the Governmentwide Interagency Contract Directory. This research confirms that vendors typically require a minimum of 60 days to submit proposals, 30 days to begin community services, and 30-60 days for submission and completion of security clearance investigations to provide onsite services. As stated above, the immediate availability of community-based healthcare services is crucial to prevent any disruption in accessing necessary medical services and to ensure the orderly operation of the institution.

While market research has indicated that comprehensive medical services are commonly available in the commercial marketplace and has identified several vendors capable of meeting the Government's needs, Naphcare, as the incumbent, is the only provider able to ensure seamless service delivery without any lapse in performance.

9. FAR DEVIATION 6.104-1(a)(9): Any other facts supporting using other than full and open competition.

No additional supporting facts are identified.

10. FAR DEVIATION 6.104-1(a)(10): A listing of the sources, if any, that expressed an interest in the acquisition in writing.

No other sources with the ability to provide services immediately, with no lapse in service, have expressed written interest in this acquisition.

11. FAR DEVIATION 6.104-1(a)(11): A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

This interim acquisition is necessary pending competitive award of a CMS contract. The Field Acquisition Office is conducting the competition, anticipating award of an indefinite delivery/requirements contract with Firm Fixed Unit Pricing.

The subsequent requirement has been publicly advertised via the Governmentwide point of entry. Experience indicates that a single source provider is currently most beneficial to

the agency and inmate population. Once the new contract is competitively awarded, justification for other than full and open competition will no longer be required.

To reduce future acquisition lead times and minimize the need for such justifications, the FAO has implemented updated milestones and is providing ongoing training to the program office.

12. FAR DEVIATION 6.104-1(a)(12): Contracting officer certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.

In accordance with FAR DEVIATION 6.104-1(a)(12), I hereby certify that this justification is accurate and complete to the best of my knowledge and belief. I further certify that this request is not the result of a lack of acquisition planning, or a desire to expend funds while those funds are still available.

Approval:

CELESTE WALKER Digitally signed by CELESTE WALKER
Date: 2026.06.16 14:34:34 -07'00'

Celeste Walker, Contracting Officer, CMCS Field Acquisition Office — Date