**NON COMPETITIVE MEMORANDUM**
**FOR SIMPLIFIED ACQUISITION ACTIONS**
**IAW FAR 13.101-3(b)**

1. **REQUIRING AGENCY** – DOJ/Bureau of Prisons, FCI Cumberland

2. **NATURE/DESCRIPTION OF ACTION BEING APPROVED** – Sole source acquisition

3. **DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS** As part of the mission of the institution, comprehensive medical services are provided to the inmate population. In meeting the healthcare needs of the inmate population, the BOP provides essential medical, dental, and mental health services 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. These services include Inpatient/Outpatient Facility and Physician services, as well as Outpatient Institution Services of Dentist, Dietician, Pharmacist, and Optometrist. The services will be procured by purchase orders. The proposed performance period will be from July 1, 2026, through July 31, 2026. Estimated value of requirement is $170,000.00.

4. **IDENTIFICATION OF STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION** – 41 U.S.C. 253; 41 U.S.C. 1901(e)

5. **DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED:**
American Correctional Healthcare, Inc (ACH) is the incumbent and has agreed to continue at the previous negotiated contracted rates. FCI Cumberland's comprehensive medical contract has expired, and this ensures continuity of care while a new multi-year agreement is negotiated by the Field Acquisition Office. This interim acquisition is necessary pending competitive award of a CMS contract. The incumbent contractor continues to provide the necessary medical services through their established network of local medical facilities and physicians. The immediate availability of community-based health care services is critical to avoid any disruption in obtaining the necessary medical services and to ensure the orderly operation of the institutions. In an effort to maintain continuity of care, the Government has determined that it is in the best interest to continue to utilize ACH who can provide the required medical services without delay. This has been determined to be fair and reasonable, and in the Government's best interest. Their established medical network ensures the institution's medical needs are fulfilled and their network of medical service providers alleviates delay and disruption of the overall mission of basic and emergency medical care. Any delay could lead to serious injury to the Government, as it would greatly impact our medical mission, patient care, and could cause operational disruptions to the inmates. 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, ACH, as the incumbent, is the only provider able to ensure seamless service delivery without any lapse in performance. No other sources with the ability to provide services immediately, with no lapse in service, have expressed written interest in this acquisition.

**TECHNICAL CERTIFICATION:**

I hereby certify that the supporting data provided by the technical and requirements personnel that form the basis for this justification are certified as complete and accurate to the best of my knowledge and belief.

Health Services Administrator or any other individual that can address technical information
**(also can use a separate memo or email to support the determination)**

**CONTRACTING OFFICER'S CERTIFICATION:**

I certify this justification is accurate and complete to the best of my knowledge and belief.

BRIAN LOGSDON Digitally signed by BRIAN LOGSDON
Date: 2026.07.07 09:25:29 -04'00'

Contracting Officer