June 27, 2011

WASHINGTON, D.C.– U.S. Congressman Peter DeFazio (D-Springfield) today sent a letter to the Inspector General of the Department of Veterans Affairs (VA) George Opfer, requesting that his office review the lengthy and unusual contracting process used by the VA for siting a new outpatient clinic in Eugene or Springfield.

After two years the VA has yet to select a site for the project. DeFazio has questioned the extraordinarily lengthy contracting process, requesting information from the March 2010 bidding process as well as the recent May 2011 solicitation of interest.

The VA has failed to provide adequate information and detail to verify that the contracting process has been handled in a fair and proper manner, prompting DeFazio's request for a review.

The Office of Management and Budget approved plans for a new Community Based Outpatient Clinic (CBOC) in July 2009 to meet the area's growing veterans population.

DeFazio's letter to Inspector General Opfer is below:

June 27, 2011

The Honorable George J. Opfer

Inspector General

Department of Veterans Affairs

Office of Inspector General (50)

810 Vermont Avenue, NW

Washington, DC 20420

Dear Inspector General Opfer,

In July of 2009, the Office of Management and Budget approved plans for a new VA Community Based Outpatient Clinic (CBOC) in Eugene or Springfield, Oregon. Nearly two years later the VA has not selected a site for the project. I have raised several questions about the contracting process for this facility, but because of the Federal Acquisition Reform Act the VA says it is barred from providing me with any meaningful specific information about the February 2010 RFP or the most recent solicitation of interest in May of 2011. The information that the VA has revealed about the Eugene/Springfield CBOC has not provided adequate assurance that this contract has been handled in a proper manner. I respectfully request that you ensure that the VA has given fair consideration to all bids and followed all applicable laws and regulations during this extraordinarily lengthy contracting process, and that you determine the causes of this inordinate delay and propose changes to the process if necessary.

The following are some of my concerns with the Eugene/Springfield CBOC contract.

- In February of 2010, the VA issued an RFP for the CBOC property. In April of 2010, applicants were notified via letter whether their bid met the RFP requirements or not. The VA, however, did not award the contract to any of the bidders though several apparently met the RFP requirements. In November of 2010, the VA hired Cannon Design, an outside architecture and engineering firm for the stated purpose of “[assisting] with layout and conceptual design of

the building." The VA did not provide any additional detail as to why this outside firm's services were suddenly necessary midway through the contracting process. They also did not provide an adequate explanation as to why seven months of inaction lapsed between the receipt of bids and the hiring of Cannon Design.

- In May of 2011, the VA solicited new statements of interest from property owners based on a significantly enlarged property requirement and a predetermined architectural plan. No reasonable explanation has been given as to what necessitated more than a year of deliberation between the original RFP and the May 2011 solicitation of interest.
- The May 2011 solicitation of interest required that the CBOC building be no more than two stories in height. Several other VA medical facilities in the state of Oregon are over two stories, as are numerous private hospitals. The VA stated that a two story building would reduce unnecessary movement of patients between multiple floors and allow specialty clinics and surgery to share staff. I am not aware of any evidence that demonstrates that moving patients and staff horizontally across a sprawling floor plan is any more efficient than utilizing elevators to access multiple floors. The large footprint associated with a two story building has also drastically and unnecessarily increased the size of the property required while providing no discernable additional benefit to the veterans who will use the facility. This increase in property size has severely limited the number of available locations in the Eugene/Springfield area and has negated many centrally located properties. This is contradictory to Oregon's land use laws, which emphasize thoughtful urban planning over sprawling suburban development.
- The May 2011 solicitation of interest required that the CBOC property include at least 685 parking spaces. This is an increase of 285 parking spaces from the original RFP and far exceeds the amount of parking required under city code in Eugene or Springfield. The VA indicated that this increased parking requirement was based on anecdotal evidence of parking shortages at other CBOC facilities. They cited several studies in their decision to require certain sized parking spaces, but they did not indicate that any quantitative study was referenced in the decision to drastically increase the number of parking spaces. This increase also raises questions about the requirement in the original RFP that the CBOC be located adjacent to public transportation. Eugene and Springfield have well established public transit systems. So long as the VA adheres to its initial requirement that the CBOC be accessible via these systems, there is little justification for requiring parking significantly in excess of local code.

Oregon veterans have already waited nearly two years for construction to begin on a new VA CBOC in the Eugene/Springfield area. I request that any review conducted by your office not further delay the contracting process for this facility.

Sincerely,

Peter DeFazio

Member of Congress

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