

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval Under Simplified Acquisition Procedures (SAP) For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

1. **Contracting Activity:**

Department of Veterans Affairs, NCO 20 Acquisition, Vancouver, WA

2. **Nature and/or Description of the Action Being Processed:**

This procurement is for PRIVplus software which is utilized for credentialing and privileging of medical center staff. Facilities within the VISN 18 area of responsibility have been utilizing this software to maintain critical data, current and historical, for copies of Practice for all staff requiring credentialing. Where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still requires a justification using the format of FAR 6.303-2.

3. **Description of Supplies or Services Required to Meet the Agency's Needs:**

Annual renewal of PrivPlus software for V18 facilities. Purchase Requisition Number: 644-14-1-7791-0003, and the estimated total for this order is \$18,804.59. Contract is being awarded base year, plus 4 options and the timeframe (10/01/2013 to 9/30/2014, plus 4 one-year options through 9/30/2018).

4. **Statutory Authority Permitting Restriction in Competition:**

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C 253 (c), as implemented by FAR 13.106-1(b)(1). The reason for restricting competition is due to the exclusive licensing agreements that CBR Associates hold for manufacturing and selling the needed software.

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Renewal of PRIVplus software license and support is necessary for the credentialing within the V18 facilities and CBR Associates is the only vendor that can sell this software.

6. **Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:**

Under normal circumstances this acquisition would fall under usual requirements for open-market competition and be open to bidding by any and all eligible contractors. However, due to the restriction in competition because CBR and Associates is the only manufacturer and sole distributor of this software.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:

FY 2013 procurement of this needed software was completed under purchase order 644S36005, for \$18,025.00, the estimation of this renewal is \$18,804.59, which is an increase of \$779.59.00 to add the Service to Tucson facilities. The services are necessary for VISN 18 and this price is consistent with FY 13 procurement. VISN18 has concluded this is reasonable for the purchase of the renewal software.

8. Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):

Pursuant to **FAR Part 10** market research was conducted as a survey of vendors offering similar items on the internet, there were no vendors aside from CBR Associates that can offer this software, A change in the credentialing software provider would result in a duplication of costs that would not be recovered through additional competition,

9. Any Other Facts Supporting the Restriction of Competition:

No other facts to report.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

No other parties expressed interest in this acquisition.

11. Statement of Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making Subsequent Acquisitions for the Supplies or Services Required:

No other facts to report

12. Requirements Certification - IAW FAR 6.303-2(c):

I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

09/20/2013

Kathy Terpos
Program Manager

Date

13. Approvals IAW VHA SOP 3.22.11:

- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

09/20/2013

Trisha Stevens
Contract Specialist
NCO 20 Acquisitions Team

Date

- b. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.

09/20/2013

Brian A. Thomas
NCO 20 Specialty Team Manager

Date