

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:**

Contracting Activity:

Department of Veterans Affairs
Program Contracting Activity Central
6150 Oak Tree Boulevard, Suite 300
Independence, OH 44131

Ordering Service:

Veterans Health Administration (VHA) Office of Informatics and Analytics (OIA)

2. **Nature and/or Description of the Action Being Processed:** This procurement action is for the one-time purchase of a VA enterprise wide license for electronic access to the Informa Journals Purchase Collection. This procurement will be done on a Sole Source basis, with a firm fixed price. The sole source vendor for this procurement is:

Informa Healthcare
Guardian House
119 Farringdon Road
London EC1R 3DA
United Kingdom

3. **Description of Supplies/Services Required to Meet the Agency's Needs:** This is a one-time purchase of enterprise wide access, across one hundred and fifty-two (152) sites, to an online collection of journals. Veterans Health Administration (VHA) medical center libraries, Central Office staff, and the staff at the all VA Medical Centers (VAMCs), Community Based Outpatient Clinics (CBOCs), and other affiliated programs and offices continue to require continued access to the web-based version of Informa Journals Purchase Collection 24 hours a day, 7 days a week. The estimated value of this purchase is \$300,000.00.

4. **Statutory Authority Permitting Other than Full and Open Competition:** 41 USC §253(c)(1), as implemented by FAR 6.302-1.

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
() (2) Unusual and Compelling Urgency per FAR 6.302-2;
() (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
() (4) International Agreement per FAR 6.302-4
() (5) Authorized or Required by Statute FAR 6.302-5;
() (6) National Security per FAR 6.302-6;
() (7) Public Interest per FAR 6.302-7;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above:** The titles in this collection of journals are often cited as

several of the world's premier medical journals, and are heavily relied upon by VA doctors, clinicians, researchers, librarians, and educators, and are critical to patient care. The Informa Journals collection is one of the collections used by medical staff to support patient care decisions and to research therapeutic issues. It is not replaceable by another collection, as it supplements the total base of information available to medical staff members. Informa is the only provider of the content of these journals. Informa is the sole owner with data rights of the content.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Market Research (explained in paragraph 8 (infra) showed that Informa is the sole provider of the content. Though Informa can bill through agents, purchasing from an agent would result in a higher price to the VA, as any agent cannot deviate from the list price, and would include a markup.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** : This procurement action is for the purchase of a VA enterprise wide license for electronic access to the Informa Journals Purchase Collection. Vendor provided pricing shows that access to the content costs \$150,000 per site. During market research, the vendor stated that they would offer the VA a price of \$300,000 for access to the content needed for all one hundred and fifty-two (152) sites. The amount charged to the government for enterprise wide access would be much less than what the private sector is charged for access to the same content.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** A Notice of Intent to Sole Source was posted on FedBizOpps on 5/14/2013. No responses were received. Discussions with the vendor confirmed that they are the sole provider of the content, and that though Informa can bill through agents, agents are not able to sell the content on their own, and no deviation from Informa's list price is permitted. Therefore, purchasing from an agent would result in a higher price to the VA, as any agent cannot deviate from the list price, and would include a markup.

A VetBiz search was completed using the term "Informa Journals", which returned zero (0) results.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

None.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

None.
11. **A Statement of the 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:**

None.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide 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.


Tom Waugh
Information Services Librarian, VHA

5/29/13
Date

13. Approvals in accordance with FAR 6.

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

Adrian Cadena 194041

Digitally signed by Adrian Cadena 194041
DN: cn=adrian.cadena@va.gov, o=Adrian Cadena 194041
c=US, email=adrian.cadena@va.gov, ou=Adrian Cadena 194041
Date: 2013.06.29 15:15:59 -0400

Adrian Cadena
Contracting Officer
PCAC

Date

- b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.



Richard Dahmen
Program Contract Manager
PCAC

6/3/13
Date