

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, St. Cloud VA Healthcare System, 4801 Veterans Drive St. Cloud, MN 56303, 618-14-2-5040-0258. This is a justification for other than full and open competition.

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

Firm fixed price purchase order for an upgrade to the existing transcription system with voice recognition services at the Minneapolis VA Health Care System.

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

This upgrade of the existing transcription system includes voice recognition services for the Minneapolis VA Health Care System. The upgrade includes hardware, software, installation, configuration, training, and data migration services to meet the following requirements:

- Upgrade Speech System software to Nuance (Version 8.3) with a maximum capacity of 13M lines of transcription annually.
- Upgrade Transcriptionist recording system software
- Add speech/voice recognition software with capacity for 800 Physician Provider users (EXVoice)
- Upgrade servers and other system interface hardware, accessories, and operating systems, and required applications to provide speech, transcription, and voice recognition functions of the system. In addition the system shall provide EMR interface the VA's VISTA/CPRS as well as printing and text editing functions required of the system.
- Implementation requirements are as follows:
 - Data Migration Service to include moving user accounts from old system to new.
 - Professional Services to include vendor provided web-based User Training for v7 to v8 upgrade (40 transcriptionists), training for Voice and Text features, and System Admin training.
 - Post Implementation Maintenance and Support to include remote vendor support and phone support 24/7 and 8x5 on-site support.
 - Installation Service to include on-site and/or remote vendor support during hardware and software deployment.
 - Project Management Services shall include, but are not limited to, a project manager, a detailed project timeline with defined roles and responsibilities (including vendor provided and MVAHCS resources), on-site installation coordination of all equipment and accessories, a training plan, and schedule for Go-Live.

Estimated Cost [REDACTED]
Delivery – 90 days ARO

4. **Statutory Authority Permitting Other than Full and Open Competition:**

- (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 (applicability of authority):** The Transcription and Speech Recognition Software Solution, manufactured by Nuance, is a large, exclusive, mission critical, medical transcription system installed throughout VISN23. The system has been installed for many years and requires routine upgrades to add features and stay current with changing information technology requirements. The system was last upgraded in 2009. In addition, the Nuance system is fully configurable and supported by OI&T to interface with VISTA. All parts and services required for the upgrade of the system are specifically designed to work together and are only compatible with other Nuance-provided equipment, legacy data in the current system, and the highly proprietary software of the system

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**
Email and phone conversations with Nuance confirmed that EC America Inc is the only authorized vendor that can complete this upgrade.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**
The Contracting Officer will determine the price to be fair and reasonable.

8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** No other sources sought –

The Transcription and Speech Recognition Software Solution includes limited replacement and upgrade of all server hardware and software at Minneapolis VA Health Care System (MVAHCS). Overall, the new system(s) shall provide state-of-the-art transcription services configured to the unique requirements of 900 plus physicians and over 50 transcription specialists stationed at MVAHCS and other locations in VISN23. The Nuance system is currently integrated to the VA's electronic medical record system (VISTA) and other medical informatics systems ensuring work flow efficiency and timely communication of patient health information.

The Nuance system upgrade proposed is specifically designed to re-use much of the same infrastructure, integration, and use knowledge required of the previous system; whereas other vendors would need to completely tear-out the existing infrastructure and replace it with thier propriety equipment and infrastructure... and at significantly greater cost to MVAHCS. In addition, an upgrade project can be executed quickly with less disruption and training to the staff impacted.

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:** In the future, when it is determined that the entire system needs to be replaced, a competitive solicitation will be issued.

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.



Dir, BIS - MVAHCS

5/28/2014
Date

13. Approvals in accordance with FAR 6.304

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

[Redacted Signature]

Contracting Officer, NCO 23 – St. Cloud

5/28/2014
Date

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

[Redacted Signature]

Product Line Contract Manager, NCO 23 – St. Cloud

28 MAY 14
Date

