

6/10/14

14-0120-SAOE - Gulf War Era Cohort
& Biorepository (E/C)
KAW

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. Contracting Activity:

Veteran Health Administration (VHA)
Service Area Office (SAO) - East
323 North Shore Drive, Suite 500
Pittsburgh, PA 15212

Department of Veterans Affairs, VISN 6
Cooperative Studies Program Epidemiology Center - Durham
Durham VA Medical Center, 508 Fulton Street
Durham, NC 27705

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

The Cooperative Studies Program, Epidemiology Center at the Durham VA Medical Center has a requirement for research services as described in section 3 below. This is a request for Other Than Full and Open Competition for a Firm Fixed Price Contract for those services with Social & Scientific Systems, Inc.

This requirement is for a twelve-month period of performance, and will include one 12-month option period. The total value of this requirement is estimated to be

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

The requested services are a continuation of work provided on an existing contract, and include support for locating, conducting mailings, and recruiting and enrolling Gulf War Era Veterans to participate in data and blood collection as part of Cooperative Studies Program (CSP) #585 Gulf War Era Cohort and Biorepository Pilot. The goals of the project are to enhance ongoing research and study chronic diseases that affect Veterans with this cohort's demographic profile and help target programs to better meet the health care needs of all Veterans.

The contractor will be required to: manage an enrollment coordinating center; assist in the development of the project's printed materials; manage the mailing of such materials to prospective participants; recruit and enroll participants in compliance with an IRB-approved methodology; track all sent and returned mailings and responses; facilitate the primary data collection through mailed surveys; manage the scheduling and collection of blood specimens and their mailing to a specified VA laboratory; obtain, mail, and track reimbursements to participants; obtain approval from an IRB with federal-wide assurance (FWA); and participate in routine conference calls and project meetings. Contractor shall also provide survey development and design expertise for a mailed survey specific to Veterans who served during the era of the first Gulf War, 1990-91.

The contractor will require access, use, storage and/or transmission of VA Sensitive Personal Information and must follow and adhere to the security controls, enhancements, compensating controls, protocols, regulations, and VA directions including those derived from the Federal

Information Security Management Act (FISMA), OMB Circular No. A-130, and VA Handbook 6500/6500.6. Contractor must have current VA Certification and Accreditation (C&A) of its information system and a current Authority to Operate (ATO), or a Temporary ATO while a full ATO is under review.

These services are required to successfully execute the IRB-approved protocol for CSP #585, Gulf War Era Cohort and Biorepository Pilot. Funds are available and the estimated award date September 21, 2014. Social and Scientific Systems, Inc. (SSS) is the proposed contractor.

Periods of Performance and Estimated Values:

Base Period	9/21/2014 – 9/20/2015
Option Period 1	9/21/2015 – 9/20/2016

Total Estimated Price:

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):

This requirement builds upon the work already performed by this contractor under contract VA240-12-F-0089. SRA International, Inc is the contractor on the current contract, and began providing support for CSP #585 Gulf War Era Cohort and Biorepository Pilot on September 21, 2012. Under that contract, SRA built a specialized enrollment coordinating center for CSP #585; created mail, phone, and field operation centers; developed highly specialized phone and mail applications; tested and developed the project survey to be mailed to Veterans; and built data and tracking systems to monitor CSP #585 processes.

On July 1, 2013, the Health Services department within SRA was purchased by Social & Scientific Systems, Inc (SSS) and had taken possession of their resources and personnel. Since then, both SRA and SSS have been working closely together in order to meet the contractual commitments of the contract. A novation agreement could not be issued as the contract was based on a task order issued from SRA's GSA Federal Supply Schedule MOBIS contract.

Although the performance of the tasks has been successful based on the relationship between the two contractors, the justification for other than full and open competition to SSS is apparent for the various reasons described below, as well as for the requirement to minimize the amount of overhead and collaboration between the two contractors when the performance is really only being provided by SSS.

The current contract was set-up as a "pilot" program, with option periods to initiate the full study. However, as with any pilot program, the tasks and scope of work have changed based on findings from the contract start-up and pilot program. Modifying the option periods and the statement of work would put the contract 'out of scope' from the initially planned tasks.

Furthermore, new security measures within VA imposed substantially more rigorous data security requirements for contractors, and SRA and SSS have spent over one year developing infrastructure and documentation to meet these new requirements in order to obtain an Authority to Operate (ATO) by the VA. These delays by the VA have also delayed performance on the current contract, resulting in further justification to re-solicit sole source in order to align the performance periods to better reflect the actual periods.

SSS is the contractor which has now met 95% of the requirements for an ATO, and a 60-day Temporary ATO (TATO) was issued on May 22, 2014 with several contingencies to address prior to securing an ATO. The project has been severely delayed and unable to begin recruitment without a TATO or ATO, and CSP #585 must begin immediately once these contingencies are addressed and an ATO is granted. While the current contractor is SRA, the issuance of a new contract to SSS is in the best interest of the VA; SSS is the contractor who will obtain the ATO as SRA no longer has the resources to do so.

SSS' extensive experience with CSP #585 activities; built infrastructure for an enrollment coordinating center; tailored processes for phone, mail, and field operations; established and highly specialized data systems; and extensive efforts to build infrastructure and create documentation to obtain an ATO for CSP #585 uniquely qualifies SSS as the only contractor able to provide the requested services. A contractor other than SSS will result in substantial duplication of cost and unacceptable delays, as significant training on CSP #585 processes and systems would be needed, and recruitment would be further delayed for another year while a new TATO or ATO is obtained.

Accordingly, SSS is the only firm capable of providing the requested services described without the Veteran's Health Administration experiencing substantial duplication of cost—that could not be expected to be recovered through competition—and unacceptable delays in fulfilling its requirements.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Intent to sole source will be issued on the Federal Business Opportunities portal and it will state that any company that expresses an interest will be provided a copy of the solicitation.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The price will be fair and reasonable based on a comparison with the pricing established on the current contract, as well as the pricing proposals received at the time the current contract was competed. Further since this contract will be issued on a sole source basis, negotiations with the contractor may be required to establish the best overall price reasonableness, as further determined by the scope and requirements of the project.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market Research has been ongoing during the performance of the current contract, by reviewing the scope, tasks, price, and performance of the current contractor. Because of the justification provided above, no further market research could be conducted.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: N/A

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: Not applicable. There are no actions that can be taken at this time to overcome barriers to competition.

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.



6-6-14

13. Approvals in accordance with FAR 5.304

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



Keith Costantino
Contracting Officer
Service Areas Office - East

6/6/2014

Date

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

gov @va

Digitally signed by
Keith Costantino
DN: cn=Keith Costantino, o=VA
Date: 2014.06.09 15:11:30 -0400

Deputy Director (Acting)
Service Areas Office - East

Date

- c. SAO (If over 650K): I certify the justification meets requirements for other than full and open competition.

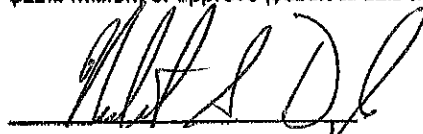
Digitally signed by Jeff Ryan
DN: cn=Jeff Ryan, o=SAO East, ou=Deputy
Director, email=jryan@va.gov, c=US
Date: 2014.06.09 15:06:00 -0400

Director
Service Area Office - East

6/9/2014

Date

- d. VHA HCA 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 (if over \$12.5 million) or approve (\$650K to 12.5 million) for other than full and open competition.



Chief Procurement and Logistics Officer
VHA Head of Contracting Activity (HCA)

Date

6/17/14