

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
23 Christopher Way  
Eatontown, New Jersey 07724
2. Description of Action: The proposed action is for a 12-month firm fixed-price contract with one 12-month option period for Behavioral Health Lab (BHL) software maintenance and technical support for the Veterans Health Administration Veterans Integrated Service Network (VISN) 4, Mental Illness Research Education and Clinical Center.
3. Description of Supplies or Services: The proposed action is for maintenance and technical support for BHL software utilized at 80 VA Medical Centers (VAMCs) within VISN 4. The BHL software provides support for delivering evidence based and measurement based mental health care with a focus on supporting integrated primary care/behavioral health care. The BHL software provides clinical program informatics support that allow for patient tracking, assessment, automated decision making, and monitoring. Software maintenance and technical support for each BHL software installation instance ensures the BHL software remains operational across VISN 4. Software maintenance and technical support requirements include troubleshooting and software defect fixes for the BHL software application and related databases. Technical support shall be handled through a Help Desk service that will operate from 9:00AM through 5:00PM Eastern Standard Time. The Contractor shall provide defect fixes for the BHL software to all installation sites. The Contractor shall provide technical support for site audit, site inspection, backup and security issues. These services will ensure the software remains operational. Furthermore this proposed action will not include the purchase of any additional software licenses.
4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C.3304(a)(1) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."
5. Rationale Supporting Use of Authority Cited Above: The proposed source for this action is Capital Solution Design (CSD), LLC, 1211 S Eads St. #2104 Arlington, VA 22202-4706. BHL software was developed by CSD in collaboration with the VISN 4 Mental Illness, Research, Education and Clinical Centers.

Based on extensive market research, as described in paragraph eight of this document, similar products will not suffice. VA currently utilizes BHL software in 80 VAMCs within VISN 4. Only software maintenance and technical support provided by CSD can be used for the BHL software. The BHL software is a Commercial Off the Shelf application designed, developed and maintained by CSD over the past nine

years. The programming code was written by CSD based on the clinical guidance and best practices of VA. Further, the programming code is owned by CSD who grants the Philadelphia VAMC the right to install, use and distribute the BHL Software throughout the VA. Because CSD owns the programming code, the Philadelphia VAMC must utilize CSD for repairs, upgrades and maintenance issues. The BHL software programming code is owned by CSD and the maintenance and support of this software must reside with CSD as no other representatives outside of CSD has access to the BHL programming code. VA contacted CSD in July 2014 to inquire as to whether the BHL software programming code is available for sale; CSD responded that, at this time, the BHL programming code is not for sale.

BHL software is utilized at 80 VAMCs to provide tracking and clinical support functions. Continued BHL software maintenance and technical support are required to allow the system to grow and adapt to patient care needs and technical requirements developed by VA. Additionally, there is no other software product readily available in the marketplace that can replace the BHL software. The BHL software is unique in that it provides a comprehensive approach to integrated care as there are no software packages on the market that can meet that need. The BHL software provides a flexible and user-friendly tool to facilitate the delivery of measurement-based behavioral health care. The BHL software offers a mechanism for tracking patient contacts and treatment progress over time; monitoring patients' symptoms; generating patient and program level data to assist with quality assurance and quality improvement and interfaces with the VA's Veterans Health Information Systems and Technology Architecture and Computerized Patient Record System. BHL software can be set to operationalize local Standard Operating Procedures by matching patients to the recommended level of care to determine what patients are treated in Primary Care Mental Health Integration and what patients are sent to specialty care. BHL software also incorporates the Patient Health Questionnaire, General Anxiety Disorder-7, Post Traumatic Stress Disorder Check List, Seven-day Timeline Follow-Back, Brief Addiction Monitor and Brief Pain Inventory Interface Scale measurements used to assess patient symptom severity. These elements cannot be found in any other software available in the marketplace.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. There is no competition anticipated for this acquisition. Additionally, the proposed action will be synopsized on the Federal Business Opportunities Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the program office will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed.

8. Market Research: Market research was conducted in July 2014 and included internet searches on medical software packages, as well as, phone calls with

knowledgeable software users at the University of Pennsylvania. The Government technical researcher also spoke to an employee and BHL user from the Louisville, Kentucky, VAMC. The result of the market research yielded no products available that met all of the Government's requirements. Additional market research was conducted in July 2014 to ascertain if any other service providers could meet VA's aforementioned requirements. Although there were other providers of similar software maintenance and support in the marketplace (e.g. MidasPlus, GeHealthcare, Covenant), no source was found that had access to the BHL software programming code, which is necessary to perform repairs, upgrades and address all maintenance issues. The BHL software programming code is owned by CSD and the maintenance and support of this software must reside with CSD as no other representatives outside of CSD has access to the BHL programming code.

Finally, the Government contacted CSD in July 2014 to see if any authorized resellers of BHL software maintenance and technical support existed in the marketplace. CSD confirmed that BHL software programming code is solely owned by CSD and that CSD is the only responsible source that can provide BHL software maintenance and technical support of the BHL software as there are no other vendors outside CSD that have been granted access to BHL software programming code.

9. Other Facts: None.