

# DEPARTMENT OF VETERANS AFFAIRS

## Justification and Approval For Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs (VA), Program Contracting Activity Central (PCAC), 6150 Oak Tree Boulevard, Suite 300, Independence, OH 44131 and the Veterans Health Administration (VHA) Office of Informatics and Analytics (OIA) offer this Justification for Other Than Full and Open Competition via Purchase Request #776-14-4-8251-0099.
2. **Nature and/or Description of the Action Being Processed:**  
This request is for the purchase of a VA enterprise-wide license for electronic access to the Elsevier Collection Subscription, Clinical Key. Procurement of access to Clinical Key will be accomplished through the establishment of a new standalone firm fixed price contract following the procedures in FAR Part 12 and 13.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:**  
The 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 require continued access to the web-based version of the Elsevier Collection Clinical Key Subscription, 24 hours a day, 7 days a week. Elsevier is an established commercial product, and is used heavily by VA librarians, clinicians, researchers, and educators.  
  
The estimated value of the procurement is \$4,922,218.00 for a one (1) year subscription with a period of performance (POP) of September 30, 2014 to September 29, 2015.
4. **Statutory Authority Permitting Other than Full and Open Competition:**  
The statutory authority permitting other than full and open competition is 41 USC §253(c)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1, titled "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."
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 web-based version of the Elsevier Clinical Key Collection Subscription provides access to over 800 books, 500 journals, and 9,000 medical and surgical videos. The VA Office of Information and Analytics (OIA) has identified several book and journal titles offered by Elsevier that are of specific interest to VA, and are proprietary to Elsevier. Elsevier is also the sole distributor of their online product, making them the only source available to provide a subscription to their service.

There are several content resources within this subscription that are only available through Elsevier Clinical Key Subscription. These include the following:

First Consult which is a "point of care monographs that leverage evidence-based medical information into succinct, clinical answers that are trusted, quick, and

accessible from world-renowned physician experts, including physician specialists from Cleveland Clinic.”<sup>1</sup>

Clinical Review Articles that “includes all of the medical and surgical specialties covered by The Clinics. The clinical review articles from The Clinics feature invited experts in the field who distill the latest clinical findings into actionable reviews of how those findings can be applied to patient care.”

Medical and Procedural Videos which “includes over 17,700 medical and procedural videos from books and journals. All are semantically enriched to make them easily searchable and discoverable. The 312 procedural video modules from Procedures Consult provide... medical and surgical content for specific procedures required by the ACGME which serve as a great method for teaching these techniques or refreshing skills.”

In addition to the numerous articles, videos, and journals that are proprietary to Elsevier; many articles while available online at separate sources, Elsevier through the Clinical Key Subscription, provides access to all of the articles at one source. This allows the practitioner to search quickly all relevant articles for information that is critical to patient care.

The Clinical Key Subscription is “powered by Elsevier’s Smart Content, tagged with EMMeT (Elsevier Merged Medical Taxonomy), which enables ClinicalKey to understand clinical terms and thus discover medical content that is the most relevant, plus find related content that would be missed by other search engines. Elsevier’s Smart Content has been designed to understand the vast number of relationships between clinical concepts. By organizing these relationships in a hierarchical manner, it guarantees that ClinicalKey provides specific, targeted results to physicians’ questions. The tool allows clinicians to filter search results by clinically meaningful subcategories (content type, specialty, and by relevant clinical categories like treatment and diagnosis). Specialty-specific tools enable physicians to quickly go from topic overview to in-depth specialty information to meet clinical challenges.”

Elsevier also meets VA’s needs by providing enterprise-wide access to their content with no geographic or concurrent user limitations, content in both HTML and PDF formats, access to online only supplements and images, and detailed usage reports.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

A Notice of Intent to Sole Source was posted to FBO.gov on 3/31/2014 with responses due by 4/25/2014. There were no responses to the Notice. Market Research was conducted for the same procurement in FY13. (VA701-13-C-0044). A Sources Sought Notice was posted to FBO.gov May 24, 2013 with responses due by May 31, 2013. No responses were received to that Notice.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

The Government has developed an Independent Government Cost Estimate (IGCE) for this procurement of \$4,922,218.00. The Government will also use historical pricing to help further guarantee price reasonableness.

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<sup>1</sup> [www.clinicalkey.com](http://www.clinicalkey.com)



8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

As stated in Section 6 of this J&A, a Notice of Intent to Sole Source was published to FBO.gov and no responses were received.

Additionally, an email was sent to Jesse Pierce, the government Point of Contact for Elsevier. Jesse Pierce confirmed that Elsevier does not allow other companies to resell their subscription of the Clinical Key Collection.

9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:**

None

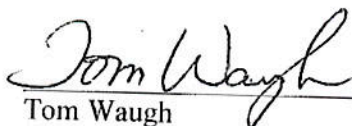
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

There were no other sources that expressed in writing an interest in the acquisition.

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:**

The VACO Central Library and Program Contracting Activity (PCAC) will engage in continual market research to identify products equal to eJournal subscription titles that will enable competition to meet this requirement in future procurements.

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

VHA Library Network Office

  
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.

Adrian Cadena  
194041

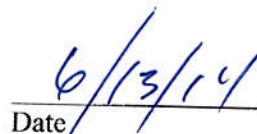
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Adrian Cadena  
Contracting Officer  
PCAC

\_\_\_\_\_  
Date

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

  
Richard Dahmen

  
Date

Program Contract Manager  
PCAC

- c. **SAO (If over 500K):** I certify the justification meets requirements for other than full and open competition.

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Rick Lemmon  
Director  
Service Area Office Central

\_\_\_\_\_  
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 \$10million) or approve (\$650K to 12.5 million) for other than full and open competition.

\_\_\_\_\_  
Norbert Doyle  
VHA Head of Contracting Activity (HCA)

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Date