

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, Network 23 Contracting Office, Fargo VA Health Care System, 474 45th Street south Suite 202, Fargo, ND 58102 (618-15-1-6065-0007)
2. **Nature and/or Description of the Action Being Processed:** A purchase order with options will be awarded for the sole source procurement of annual maintenance/service and technical support for the CorePoint Health HL7 Engine software.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Provide 24/7 technical phone support for the CorePoint HL7 Engine Software installed at the Omaha VA Health Care System in VISN 23. The estimated value is \$59,000 annually with a period of performance from 11/01/2014 through 10/31/2015. This procurement will include 4 one year options for recurring need. Each option year is expected to cost \$59,000.00 per year. Total = \$295,000.00
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):** With the proprietary nature of the software, no other company would be able to satisfy our needs for software updates and support. No other company besides CorePoint Health LLC would be able to provide the software updates, upgrades, and technical support necessary for the CorePoint Health HL7 Engine software installed in VISN 23 and these services are essential for the ongoing maintenance and usage of the HL7 Engine. Accordingly, CorePoint Health is the only firm capable of providing the services described in Section III above 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:** GSA, Internet, FBO and other contract officer's desktops in eCMS have been researched to identify potential vendors.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** FAR Part 13.106-3 will be utilized to determine price fair and reasonable. The anticipated pricing will be determined fair and reasonable based upon comparison with pricing from previous purchases.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted on GSA, Internet, FBO, and other contract officer's desktops in eCMS were researched. The internet was searched by using google to identify potential vendors and only Corepoint Health LLC was identified. Prior purchases include the following contracts for software: 618-A20732, 618-A30619, and 618-C40124, associated with 2237 numbers 618-12-4-019-1159, 618-13-4-020-1361, and 618-14-1-6065-0015 respectively.

GTRI is a former vendor that had supplied the items in the past however they do not provide the 24/7 support services therefore they would not be able to satisfy the requirement.

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:** Corepoint Health LLC (small business)

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:** VISN 23 contracting will monitor and reassess market conditions to evaluate new potential vendors that could meet the agency requirements in the future prior to exercising any option years.

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.

jennifer.gers
ten@va.gov

Digitally signed by
jennifer.gersten@va.gov
DN: cn=jennifer.gersten@va.gov
Date: 2014.08.19 14:12:47 -05'00'

8/19/2014

Jennifer Gersten
Biomedical Engineering
NCO-23

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.

lance.haman@va.gov

Digitally signed by lance.haman@va.gov
DN: cn=lance.haman@va.gov
Date: 2014.08.19 14:08:17 -05'00'

Lance Haman
Contract Officer
NCO-23

Date

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

Scott Petrin
Contract Manager
NCO 23

Date