

## 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, NJ 07724
2. Description of Action: This proposed action is for a sole source firm-fixed-price contract with DF/Net Research Inc., 140 Lakeside Avenue, Suite 310, Seattle, WA 98122 USA.
3. Description of Supplies or Services: VA Cooperative Studies Program Coordinating Center (CSPCC) has a requirement for the renewal of 10 existing DataFax licenses and the acquisition of 80 additional DataFax software licenses. DataFax maintenance and support is required to allow CSPCC to continue to collect and manage data for multi-site clinical research studies. These multi-site clinical research studies follow strict scientific/regulatory guidelines comparing different treatment methods to determine cost benefits of treatment, efficacy of treatments, and determine new standards of care/treatment for Veterans. The request for additional licenses for the Datafax server will allow sites to use electronic data entry instead of faxing forms into Datafax. This will provide a more efficient method to conduct multi-site research studies. The maintenance includes phone and email technical support, on-line self-help, software patches and updates for the DataFax software. The period of performance is May 18, 2015 through May 17, 2016, with two, 12 month option periods.
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) 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: Based on the market research described in section 8, only DF/Net Research Inc. can meet the Government's requirements. DF/Net Research Inc. owns the rights to all proprietary program language and intellectual property of all software products under the DataFax umbrella. Therefore, only DF/Net Research Inc. can provide the additional software licenses, maintenance, support and yearly license renewals. Although other products exist with similar capabilities, none can satisfy VA CSPCC requirements for clinical trials management software. To introduce another software product would require a complete re-engineering of CSPCC processes, and complete re-training of all CSPCC staff. In addition, data collection will need to stop while this process occurs. If data collection and management ceased, it would shut down the CSPCC. If a different data collection and management system were to be selected during active data collection and management, the costs to switch systems mid-stream during data collection include validating a new system and transferring data alone; and the costs are estimated to be nearly a million dollars, a price which

doesn't include the initial cost of the system itself. Furthermore, the Technology Acquisition Center sent additional market research questions to DF/Net Research Inc. and it was confirmed that DF/Net Research Inc. is the sole supplier of DataFax software products and maintenance.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. 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 synopsisized on the Federal Business Opportunities (FBO) Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated. In accordance with FAR 5.301, this action will be synopsisized and the justification will be made publicly available on the FBO Page within 14 days of award of the order.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the Government's technical experts will continue to perform market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.

8. Market Research: Market research was conducted by VA CSPCC's technical experts during the time frame of March 9, 2015 through March 11, 2015 by researching similar product websites for the DataFax software requirements. DataLabs (a Large Business) and MediData (a Large Business) were the only other products with similar capabilities; however, neither could satisfy VA CSPCC requirements for hybrid fax/electronic data capture, capabilities, and support. The DataFax system provides both faxing and electronic data capture, a robust edit check language, and SAS data export tools for managing, analyzing and visualizing collected clinical data. To introduce another software product would require halting all data collection while CSPCC engages in a complete re-design of the existing clinical studies running on DataFax, importing collected data, re-training of study and site staff, and validation of new system. Only DataFax licenses and maintenance with DF/Net Research Inc. can meet the Government's needs.

9. Other Facts: N/A