

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: The proposed sole source action is for a Firm-Fixed-Price contract to Apex Data Solutions, LLC (Apex), 5401 W. Kennedy Boulevard, Suite 890, Tampa, FL 33609.
3. Description of the Supplies or Services: The proposed action is to transition the Veterans Point of Service (VPS) Veterans Health Information Systems and Technology Architecture (VistA) Services Assembler VistA Javascript (VistA.js) Platform prototype to a deployable initial operating capability (IOC) pilot package status; rollout the IOC package to up to 11 pilot sites; and provide enhancements, source code, installation procedures, documentation and training. Apex developed and delivered the VistA.js prototype that met the VA acceptance criteria in an internal and external innovation test environment.

The VPS VetLink platform currently operates across VA in at least 80% of Community Based Outpatient Clinics and 100% of the VA medical centers, while VistA Evolution Enterprise Health Management Platform efforts currently operate in at least six sites. VistA.js, when completed, will enable an integrated view of federated Veterans' data, thus facilitating fulfillment of the current need by VA and non-VA Administrative Staff and Clinicians to have the ability to view and reconcile Veterans' clinical and administrative data from across disparate data sources inside and outside of VA under the VPS VetLink Platform and VistA Evolution efforts.

VistA.js includes Medication Reconciliation Allergy Review Capability (MRAR) and Clinical Reconciliation Service (CRS) both of which are VA functional requirements. The MRAR capability directly supports Veterans Health Administration (VHA) Directive 2011-012, dated March 9, 2011, to establish a system-wide approach to manage patient medication information by reconciling medication across the continuum of care. This capability allows patients to self-report all current medications and allergies and includes a recall support interface. It streamlines medication and allergy data collection, allows the health care provider to reconcile across what patients self-report, what is currently documented in the medical record, and any changes made during each clinical encounter. CRS allows VA to fill in the clinical knowledge gaps to the fragmented patient story/timeline across both internal/external disparate data sources, de-duplicate, merge, sort, and simultaneously display that data to both the patient and provider during an encounter, whether through VA care,

Department of Defense (DoD) care, or non-VA care (e.g., Veterans Access, Choice, and Accountability Act).

In order to transition the VistA.js prototype to a deployable IOC pilot package, the Contractor must further extend the prototype to meet VA enterprise-grade requirements, 508 compliance, patient safety mandates, as well as undergo extensive performance and user acceptance testing given the clinical nature of the solution involving direct patient care and safety. In accordance with VA Project Management Accountability System (PMAS) IOC pilot criteria, five initial VistA sites will be selected in order to sufficiently test and prove VistA.js is a viable and stable platform and can be deployed nationally by VA and other vendors.

After the VistA.js prototype is fully developed in accordance with VA Open Source Software development practices, tested, deployed to the 11 VA sites, exits IOC and is accepted by VA, VA requires that the vendor transfer ownership of the VistA.js source code to VA, establish VistA.js source code control, testing, development, and staging environments; collaborate with VA in VistA.js deployment; provide configuration tailoring and fine-tuning as appropriate (e.g., tailored to local VistA instance); adhere to the VA PMAS/ProPath Operational Readiness Reviews and IOC processes; implement a Requirements-Based/Cause-Effect testing approach; maintain current design/deployment documentation library; provide sustaining engineering support (e.g. Tier 3 helpdesk, local VistA integration issues, etc.); and develop VistA.js knowledge transfer mechanism and provide training of VA employees and appropriate VA contract staff on the VistA.js Platform.

The period of performance is 12 months, with nine optional tasks and one 6-month option period. The total estimated value of the proposed action is [REDACTED] inclusive of optional tasks and options. Optional tasks can be exercised at any time during the period of performance.

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: Apex, a small business, is the creator and inventor of VistA.js. Apex wholly-conceived, developed and has the proprietary rights to this prototype code that uniquely integrated a number of capabilities and components including but not limited to MRAR and CRS.

Apex, as the owner of the source code to VistA.js, is the only vendor that can enhance, further develop, and transition the VistA.js prototype to a deployable IOC pilot package and ensure that the VistA.js prototype meets the MRAR and

CRS functional requirements which are described in section 3 and are critical to VA. In addition, Apex has the source code to meet other VA functional requirements derived from the VistA.js Platform which also include the customized Single Sign On and Patient Context Switching, a critical VA requirement that uses the VistA.js Federator for addressing long-standing enterprise security concerns with anonymous access. Furthermore, Apex is the only vendor capable of integrating VistA.js with enterprise Identity and Access Management. VistA.js which improves VA's security posture when it comes to protecting clinical data, as secure communications have been "baked in" to the data exchange process all up and down the VistA.js Federation Platform. This is a high priority requirement which only Apex currently can meet.

Ownership of the VistA.js source code is critical to meet VA's requirements to support fast, efficient, and consistent interaction with Veterans. This consistent and definitive view of data will facilitate the ability to successfully resolve Veterans' and beneficiary issues at the point of care or from a Veteran's home or mobile device, thus, improving the consistency, quality, and accuracy of information shared across all Veterans' interfaces. The services provided by VistA.js are foundational elements supporting the capabilities of all VA and DoD applications involved in Veteran's interactions to deliver business value and a consistent Veteran's experience. VA's ownership of the Apex source code under this action will alleviate vendor lock in and enable competition for future related work as well as reduce dependency on a single vendor to continually educate and train a dedicated pool of VistA.js developers. Using this approach, the Java developer community can access and add to an expanding body of content as VistA.js evolves and enhances the Open Source VistA community.

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 synopsized on the Federal Business Opportunities (FBO) Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated.

7. Actions to Increase Competition: The VistA.js will be considered Government-owned source code at the completion of this IOC effort. VA will then compete the national rollout of the remaining sites.

8. Market Research: In March and April 2015, the Contract Specialist performed market research in the form of a Sources Sought Notice (VA118-15-Q-0219) on the FBO website to determine interested and capable companies that may be able to assist in the development and positioning for rollout of the VistA.js and to ascertain if there were any other viable solutions in the marketplace that could meet or exceed the Government's requirements. The Sources Sought Notice included a draft Performance Work Statement (PWS), draft Business Requirements Document (BRD), 11 questions for respondents and requested a

capability statement. VA received three responses: Document Storage Systems, Inc. (DSS), Forum, and Apex. The Chief Business Office created a panel of project managers and enterprise architects to evaluate the capability statements against the draft PWS, draft BRD and technical rubric.

The panel determined that based on assessment of the individual RFI responses, only Apex demonstrated an understanding of the requirements and has the capability to perform the work required because they hold the proprietary rights to the VistA.js platform prototype. Forum did not address the RFI questions, but provided information that read in a manner similar to marketing information. DSS failed to demonstrate understanding of the technologies in question, addressed parts of the VHA infrastructure that were not relevant to the requirements of the RFI, and did not fully address the 11 areas of the RFI. Moreover, although Forum and DSS responded to the RFI, neither one of them has the ability to further develop the prototype in order to transition it to a deployable initial operating capability pilot package status, as they do not have the proprietary rights to the VistA.js platform prototype. The Contract Specialist contacted the vendors advising them of their inability to meet the requirements. No additional correspondence was received.

9. Other Facts: None.