

JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition and Logistics
Technology Acquisition Center
260 Industrial Way West
Eatontown, New Jersey 07724
2. Description of Action: The proposed action is for a twelve (12) month, firm-fixed-price contract for VA Open Source Electronic Health Record (EHR) Agent (OSEHRA) Refactoring Services. This system is utilized by the Department of Veterans Affairs Central Office (VACO), Open Source EHR Refactoring Services program.
3. Description of Supplies or Services: OSEHRA is the custodial agent that serves as the central governing body of a new open source community. VA has contributed the latest Freedom of Information Act (FOIA) release of the VistA codebase to OSEHRA. The current VistA codebase is large, complex and difficult to use with the state-of-the-art development environments, tools, and automated quality control procedures currently utilized within VA. The proposed action will provide program management, module inventory, software refactoring of VistA components and facilitation of the OSEHRA certification process to meet the business requirements of the Open Source EHR Refactoring Services program. This project will decompose VA VistA into modular components and develop means to make component function available via modern web services-based architectural models; thereby adding new functionality to the Open Source EHR application and making it compliant with OSEHRA's code contribution requirements. The total estimated price of the proposed is [REDACTED]
4. Statutory Authority: The statutory authority permitting other than full and open competition for this acquisition is 41 U.S.C. 253(c)(5), "when a statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source", as implemented by FAR 6.302-5. For this action, 38 U.S.C. 8127(c), known as the Veterans First Contracting Program, provides the authority to directly contract with a Service-Disabled Veteran-owned small business (SDVOSB).
5. Reason for Authority Cited: The proposed source for this action is Ray Group, 100 S Ashley Dr, Ste. 1700, Tampa, FL 33602, a certified SDVOSB. Ray Group has performed similar support services for VA previously and has proven that it has the required capabilities to meet all of the Government's requirements. Ray Group possesses a combination of the program management and software engineering skills necessary to complete this project. In light of the above, the Government's technical experts have

determined that Ray Group is capable of meeting all of the Government's requirements and is considered a responsible SDVOSB.

6. Efforts to Obtain Competition: Market research was conducted and the details are contained in the market research section below. In addition, consistent with the guidelines of the Veterans First Contracting Program, the proposed action described herein will be synopsisized on the Federal Business Opportunities Page in accordance with FAR Part 5.
7. Actions to Increase Competition: All future requirements will be handled on a case-by-case basis to determine any future acquisition strategy.
8. Market Research: Market research was conducted by searching the VetBiz.gov database on September 28, 2011 to determine that Ray Group is a SDVOSB. This search concluded that Ray Group is registered and certified in the VetBiz.gov database and qualifies as a SDVOSB in accordance with the federal small business size standards for the applicable North American Industry Classification System code 541411. Additionally, a search in the Central Contractor Registration (CCR) performed on September 28, 2011 showed that Ray Group is registered under CCR. Based on this market research, the Government's technical experts have determined that Ray Group is a SDVOSB and can meet the Government's requirements.
9. Other Facts: The Procuring Contracting Officer has determined that this procurement meets all the requirements of statute 38 U.S.C. 8127 (c). This procurement is below the \$5,000,000.00 threshold; Ray Group has been determined to be a responsible SDVOSB; and a fair and reasonable price is expected, which will offer a best value to the Government.

10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

[REDACTED]

Senior Advisor

Date: 9/29/11

Signature: [REDACTED]

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on the Independent Government Cost Estimate and price analysis.

[REDACTED]

Procuring Contracting Officer

Date: 9/29/2011

Signature: [REDACTED]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

[REDACTED]

Procuring Contracting Officer

Date: 9/29/2011

Signature: [REDACTED]

13. Legal Sufficiency Certification: I have reviewed this justification and find it adequate to support other than full and open competition and deem it legally sufficient.

[REDACTED]

Legal Counsel

Date: 9/29/2011

Signature: [REDACTED]

Approval

As the Contracting Activity Competition Advocate and based on the foregoing justification, I hereby approve a twelve (12) month, firm-fixed-price contract for VA Open Source Electronic Health Record Re-Factoring Services, on an other than full and open competition basis pursuant to the authority of 38 U.S.C. 8127(c), subject to availability of funds, and provided that the services herein described have otherwise been authorized for acquisition.

Date: 9/29/11Signature: 

Head of the Contracting Activity