



DEPARTMENT OF VETERANS AFFAIRS

Strategic Acquisition Center
10300 Spotsylvania Ave
Fredericksburg, VA 22408

JUSTIFICATION AND APPROVAL FOR A LIMITED SOURCE AWARD UNDER A FEDERAL SUPPLY SCHEDULE

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Strategic Acquisition Center
10300 Spotsylvania Ave, Suite 400
Fredericksburg, VA 22408
2. Description of Action Being Approved: This proposed requirement is for Operations and Maintenance (O&M) of the My HealtheVet (MHV) website portal. This requirement will result in the modification of a Firm-Fixed-Price Task Order, adding two 12-month option periods under a directed award to a Service Disabled Veteran Owned Small Business (SDVOSB), based from solicitation VA119-15-Q-0162 and awarded under VA119-15-F-0105. The estimated value of this modification is \$1,003,277.80. This effort is conducted under the authority of the Multiple Award Schedule (MAS) Program; awarded under the General Services Administration (GSA) Federal Supply Schedule (FSS) in support of the Department of VA, Veterans Health Administration and the Veterans/Consumers Health Informatics Office.
3. Description of Supplies or Services:
 - a. MHV is the VA's Personal Health Record (PHR), an eHealth support tool. MHV is a web-based portal that provides a secure online environment for Veterans and beneficiaries, caregivers, and clinicians to collaborate to optimize Veterans' health care. The MHV portal is the largest, most active, and fastest growing VHA website. In 2014, MHV hosted more than 23 million page views per month, processed 1.1 million prescription refills, and transmitted 746,000 secure messages. It currently represents 35% of all VA.GOV web traffic. Additional features include VA Blue Button, VA appointments, health risk assessments, and educational resources including the Veterans Health Library, mental health, and food and activity journals. There are approximately 800 content pages consisting of health education materials and promotional feature articles, as well as Frequently Asked Questions (FAQs), help pages, and user guides to specific features in MHV.
 - b. Currently, web publication of new and updated content are accomplished and processed through manual Hypertext Markup Language (HTML) editing and file movement into database middleware and web servers hosted on a WebLogic platform. In an effort to redesign the site as well as enable a more efficient process for updating content, MHV is implementing a new Web Content Management System (WCMS). Web page design transitioned to a new development using LifeRay Portal Enterprise Edition v.6.2 Content Management System (CMS) in collaboration with VA Office of Information and Technology (OIT).
 - c. As the newly-acquired CMS is integrated into the MHV development process, the VA requires skills and experience to work with VA and a lead designer to manage the "as is" web publishing process, manual HTML editing and file transfers on the WebLogic platform and the "to be" streamlined process which will leverage the CMS. Acquisition of a vendor to perform these services regularly scheduled and on-demand website maintenance to the MHV portal will ensure initiative and compliance with the OIT, VA Directive 6102

Internet/Intranet Services and Section 508 Amendment to the Rehabilitation Act, which directly supports the VA's mandate to migrate website content from the WebLogic platform to the new LifeRay WCMS. Inclusion of the two 12-month option periods is valued at \$1,003,277.80, increasing the total value of the SDVOSB directed award to \$1,483,536.16.

4. Statutory Authority: The statutory authority permitting other than full and open competition for this acquisition is VA Acquisition Regulation 819-7007 Sole Source Awards to Service Disabled Veteran Owned Small Business (SDVOSB) Concerns. This requirement will result in a Service Disabled Veteran Owned Small Business Direct Award.
5. Rationale Supporting Use of Authority Cited Above: Use of the above cited authority is also in accordance with (IAW) VA Acquisition Regulation (VAAR) 819-7004 Contracting Order of Priority—SDVOSB is the VA's first preference for acquisition strategy for acquisition of services and supplies. The source of this acquisition is The District Communications Group (TDCG), LLC, 13 9th Street SE Washington DC 20003-1378, TDCG is a certified SDVOSB and based upon market research, technically qualified to perform these services. In support of the implementation of the mandate and continuity of services, use of this authority reduces solicitation, source selection evaluation and review time while remaining in compliance with the VA's Contracting Priority and socio-economic goals.
6. Efforts to Obtain Competition: In accordance with VAAR 819.7007(a) the contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. A determination that only one SDVOSB concern is available to meet the requirement is not required. Consistent with the guidelines of the Veterans First Contracting Program, the proposed action described herein IAW FAR Part 5 does not require a separate synopsis (via FedBiz Opps) when utilizing the Federal Supply Schedule.
7. Actions to Increase Competition: All future requirements will be managed and administered in accordance with FAR/VAAR and other applicable acquisition strategy policies and procedures related to the requirement.
8. Market Research: Market Research (MR) was conducted IAW FAR Part 10, which describes the policies and procedures for conducting market research to arrive at the most suitable approach to acquiring, distributing, and supporting supplies and services. FAR Part 10 implements the requirements of 41 U.S.C. 3306(a) (1), 41 U.S.C. 3307, and 6 U.S.C. 796. The Government must secure a source in the most efficient manner that minimizes risk to schedule, cost, and quality in the performance of the tasks to achieve the VA mandate for O&M of the My HealtheVet website portal.

IAW the above cited authority, VAAR 819-7004 and Public Law 109-461, "the Veterans Benefits, Health Care, and Information Technology Act of 2006", Sections 502 and 503; 38 U.S.C. 8127(c); and VAAR 819.6007, "Sole-source awards to Service Disabled Veteran Owned Small Business (SDVOSB) concerns," a SDVOSB is determined to be the potential source of the required services. The scope of this requirement requires the vendor to provide the services in a way that will meet the goals and objectives of the Performance Work Statement. Based upon MR and the statutory authority, the Procuring Contracting Officer has determined that the proposed action meets all the requirements of 38 U.S.C. 8127(c). This modification is below the \$5,000,000.00 threshold, TDCG is a responsible SDVOSB for performance of the services described herein, and the proposed modification can be awarded at a fair and reasonable price.

- a. **Number of SDVOSBs**: IAW FAR 8 Required Sources for Services and Supplies, General Services Administration (GSA), Mandatory Award Schedule (MAS), Category 541 3 Web Based Marketing Services

and SDVOSB socioeconomic criteria were used. The search when establishing the award returned 12 SDVOSB schedule holders. However, further examination of the requirement gave prudence to pursue a sole source effort with TDCG.

- b. **Explanation for Selection:** In accordance with VAAR 819.7007(a) the contracting officer's determination whether to make a sole source award is a business decision wholly within the discretion of the contracting officer. Although a determination that only one SDVOSB concern is available to meet the requirement is not required, extensive market research included interview of all 12 vendors under FSS Special Item Number (SIN) 541 3 for Web-based Marketing Services. While all were familiar with MHV Program, TDCG was the only vendor with working knowledge and experience. TDCG has performed satisfactorily and in accordance with the terms and conditions of the task order. Since award of the task order, TDCG has completed stringent security requirements of five hand-selected employees, onboard processing, and training on-site and off-site personnel regarding MHV and PWS specifics, and established protocol for daily, weekly, and monthly update requirements. TDCG's proposal and award was determined fair and reasonable when compared to the Government's Independent Government Cost Estimate (IGCE). As such, it is not anticipated that re-procurement of this requirement for 2 (two) additional 12-month performance periods for the exact services currently being performed by TDCG under VA119-15-F-0105 would result in cost savings above the total contract value of the work being performed. Because of the review and competition approval requirements, initiating and managing a new requirement, the Government would incur additional procurement costs related to PMO's description of the need, administration and review by the contracting office, and review and approval by compliance and the Office of General Counsel. In addition, significant schedule impacts would occur with the burdensome and lengthy onboarding process. The additional cost and schedule impact of re-procurement for a new requirement more than likely would not be recouped by issue of award to a new vendor.

Although selection was not based upon any written or specific evaluation criteria, TDCG's response to the MR inquiry, management approach, fair and reasonable cost when compared to the Independent Government Cost Estimate, PPIRS, SDVOSB status and proximity to the PMO were elements used for the selection. The SDVOSB selection was also based on the vendor's specific experience with historical My HealtheVet task order performance. Specifically TDCG demonstrated knowledge of and sensitivity to Veterans' health care needs and interests as well as communications modalities, and the vendor's ability to effectively use these channels by performing and implementing strategies that increased MHV usage and growth within the Veteran-advocate community. The campaign increased the benefits of the electronic medical record and promotion of healthcare prevention to the nation as a whole. In previous work the vendor has demonstrated sensitivity in tailoring work based performance towards Veteran needs and time constraints as well as flexibility in approaching new issues and challenges.

- c. **An explanation for selection of the contractor, which will allow the approving official to make a reasonable determination regarding whether a sole source procurement is appropriate:**
- 1) The Government requires the continuation of O&M support and services associated with the transition to LifeRay Portal Enterprise Edition v.6.2 Content Management System for mission requirements outlined in paragraph 3 above. Due to mission changes, refinement of the Performance Work Statement and the IGCE, this requirement has undergone several revisions that impacted the procurement action lead time, the solicitation and award, general posting requirements and required approvals. As a result, the solicitation and selection strategy was modified to a sole source; however, it remains in accordance with federal and agency requirements for issuing a sole source task order.

Although TDCG's quote included a base year and 2 12-month option periods, the award was reduced to a 12-month period of performance to ensure timely award to allow for vendor build-up time for performance, establishment of processes and protocol, and testing and verification to ensure the initial tasking was fully operational for customers prior to the September 30, 2015 mandate. Adequate schedule did not exist at contract award to obtain the necessary approvals to include the option periods. The additional tasks are required for finalizing and maintaining the system mandates that require the inclusion of option periods.

- 2) The services are commercially available and administrative in nature. A query within GSA FSS returned 12 schedule holders possibly capable of performing subject services, however the extension of the effort with the current vendor is in the best interest of the government for continuity, avoidance of significant delays due to system security access, and onboarding. Execution of this modification drastically reduces the procurement risk and schedule impacts to the required mandates. This determination is IAW the statute that supports the SDVOSB and increases the probability of implementing local policy and meeting the program's mandates.
- 3) The PMO performed market research and conducted interviews to assess TDCG's work performance. TDCG has working knowledge of the Veterans Health Administration (VHA) electronic communications, experience and ongoing contracts for similar services and historical experience with the VA and a "high-quality" performance rating related to a contract, VA776-C10182. The PMO also received from VA staff positive feedback regarding their efficiency and effectiveness. TDCG continues to perform the scope of the effort, within time constraints, and maintains capability and resources to support the mandates of the program.

The VetBiz.gov database was accessed on January 14, 2016; TDCG is registered, certified and qualifies as a SDVOSB IAW NAICS 541511, "Custom Computer Programming Services". TDCG is also registered in the System for Award Management database and is eligible to receive a Government awards as of January 14, 2016. Continuation of these services is imperative in order to meet compliance with the OIT, VA Directive 6102 Internet/Intranet Services and Section 508 Amendment to the Rehabilitation Act. For all of the foregoing reasons, it is in the best interest of the Government to modify the task order to TDCG.

9. Other Facts: The Procuring Contracting Officer has determined that this proposed action meets all the requirements of 38 U.S.C. 8127. This acquisition is below the \$5,000,000.00 threshold, TDCG's System for Award Management (SAM) record is active through July 6, 2016 and their record revealed 0 (zero) active exclusion/debarred records. TDCG is also registered in VetBiz as a SDVOSB, therefore eligible for receipt of awards from the VA. A search of TDCG using the Federal Awardee Performance and Integrity Information System (FAPIS) returned 0 (zero) records in the FAPIS system, no proceedings in the Entity Management section of SAM, and no exclusions records in the Performance Information section of SAM. TDCG is a responsible SDVOSB for performance of the services described herein. Price reasonableness will be determined by using their FSS and proposed pricing in comparison to the Independent Government Cost Estimate, a comparison with similar services in the same industry, and knowledge and previous experience of the Contracting Officer and Program Office.