

## SOLE SOURCE JUSTIFICATION

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
1701 Director's Blvd.  
Austin, TX 78744
2. Description of Action: This proposed action is for a purchase order to Kroll Ontrack, LLC, to acquire neuroimaging data recovery and restore services.
3. Description of Supplies or Services: The Department of Veterans Affairs (VA), Office of Information & Technology, Boston Healthcare System, requires neuroimaging data recovery and restore services. The NeRVe Storage Area Network (SANS), has crashed and there is a massive amount of data from VA investigators, as well as documentation from work developed over a great amount of man hours that needs to be retrieved. The situation calls for a data retrieval company that has the unique ability of accessing the data on a dated Promise storage and analysis platform. The service required is to examine the individual hard disks from the server and determine the feasibility of being able to repair the damage and recover the data. Once the evaluation is completed, the available files will be reported and made available for recovery. Then the redundant array of independent disks (RAID) will need to be virtually reassembled and the volume virtually rebuilt. Because of this process, the exact cost of the work will not be known until after the work begins. The contractor would need to examine the SANS hardware/RAID in person and on site before a final firm price can be quoted. The approximately 73TB of data on the storage array not only contains raw image data of magnetic resonance imaging (MRI) brain scans for the last 8 years, but also the data must be analyzed, which is manually time intensive. If data is lost, it would take many staff years to get back to where they were before the controller failure. The period of performance for this action is September 26, 2016, through October 7, 2016. The total estimated not-to-exceed price of this proposed action is [REDACTED], with no option periods.
4. Statutory Authority: In accordance with Federal Acquisition Regulation (FAR) 13.106-1(b)(1)(i), "Contracting officers may solicit from one source if the contracting officer determines that the circumstances of the contract action deem only one source reasonably available..." for purchases not exceeding the simplified acquisition threshold.
5. Rationale Supporting Use of Authority Cited Above: Kroll Ontrack is the only source that has the ability to access the SANS hardware/RAID with minimal to no risk of data loss or compromise. The neuroimaging data recovery and restore services require the unique ability to see, repair, and retrieve the extensive MRI Research data while on site without needing a controller installed, which would present an unacceptable risk of data loss, damage, and compromise. Kroll Ontrack, LLC, is the only source capable of performing the required service based upon this ability that is unique to Kroll Ontrack. Additionally, Kroll Ontrack is able to do this work on-site which allows VA to maintain direct oversight of the data. The Research data on this platform is one of a kind imagery and resultant analysis. No other company could perform the required service

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without connecting controllers to the RAID system, which would present an unacceptable risk of data loss and data damage to this invaluable research data and analysis.

6. Efforts to Obtain Competition: Recent market research conducted, detailed in paragraph eight of this document, has confirmed that no additional sources have emerged that can meet the Government's requirements without the need for multiple procurements or an undetermined amount of customization to one or more commercial products. There is no competition anticipated for this acquisition. Procurement data does not include any unnecessary requirements that may inhibit competition. In accordance with FAR 5.101, and as this action is above \$25,000, the acquisition will be synopsisized to a Government Point of Entry. Therefore, based on this market research and in accordance with FAR 13.106-1(b)(1)(i), the Government will synopsisize the requirement and will post the RFQ to the Federal Business Opportunities page (FBO). The Sole Source Justification will be posted to FBO within 14 days after award.

7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable competition in future actions.

8. Market Research: The Government's technical experts conducted market research from September 2016, by consulting with a variety of companies, including [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] is the current supplier of the existing NeRve SANS, but they are unable to perform the service as it requires unique ability to see, repair, and retrieve the extensive MRI Research data without needing a controller installed, which would present an unacceptable risk of data loss, damage, and compromise. [REDACTED] referred the requiring activity to Kroll Ontrack as they are the only known organization in the industry with the ability to perform this type of service with the least amount of risk to the data. [REDACTED] does not provide onsite support, and their method of extraction involves installing controllers. The drives would have to be shipped to the vendor, which would mean there would not be direct oversight of the data. [REDACTED] would also have to use controllers to perform the services. Therefore, the Government's technical experts concluded that the market research showed that only Kroll Ontrack could provide the required services.

In September 2016, the contract specialist conducted market research using web searches, and by searching for resellers on National Aeronautics (NASA) and Space Administration Solutions for Enterprise-Wide Procurement (SEWP) V Government Wide Acquisition Contract (GWAC), and General Services Administration (GSA) Federal Supply Schedule. Searches for resellers of Kroll Ontrack on NASA SEWP V GWAC and GSA showed that there was one small business reseller of Kroll Ontrack on GSA and several small business resellers, including two service-disabled Veteran-owned small business resellers, of Kroll Ontrack on the NASA SEWP V GWAC. However, these services are not within the scope of the NASA SEWP V GWAC, and Kroll Ontrack

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further confirmed that the neuroimaging data recovery and restore services would need to be performed in their entirety by Kroll Ontrack direct employees.

9. Interested Sources: