

**DEPARTMENT OF VETERANS AFFAIRS**

**Justification and Approval**

**For**

**Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 4, James E VanZandt VA Medical Center "Justification for Other than Full and Open Competition" for purchase request 2237 # 503-12-3-4069-0002, for the renewal of the LiveProcess Enterprise (271 Grove Avenue, Verona, NJ 07044) emergency notification database.
2. **Nature and/or Description of the Action Being Processed:** The James E VanZandt VA Medical Center currently uses LiveProcess software to maintain a database with employees' contact information for emergency notification purposes. The proposed action will be awarded as a new contract for the renewal license of the previously purchased software. A base and four option year firm-fixed-price contract will be awarded.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** The service to be acquired is the renewal license to maintain the current database and emergency notification service through LiveProcess. The estimated value (including options):

Base Year: \$10,800

Option Year 1: \$10,800

Option Year 2: \$10,800

Option Year 3: \$10,800

Option Year 4: \$10,800

Total estimated value of the acquisition: \$54,000

The estimated delivery dates/periods of performance:

Base Year: September 30, 2012 through September 29, 2013

Option Year 1: September 30, 2013 through September 29, 2014

Option Year 2: September 30, 2014 through September 29, 2015

Option Year 3: September 30, 2015 through September 29, 2016

Option Year 4: September 30, 2016 through September 29, 2017

4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
  - (2) Unusual and Compelling Urgency per FAR 6.302-2;
  - (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
  - (4) International Agreement per FAR 6.302-4
  - (5) Authorized or Required by Statute FAR 6.302-5;
  - (6) National Security per FAR 6.302-6;
  - (7) Public Interest per FAR 6.302-7;

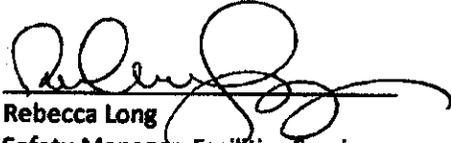
SOP Other Than Full and Open Competition

Original Date (3/22/2011)

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** LiveProcess database and emergency notification software was previously procured by the James E VanZandt VA Medical Center. The Facilities Service spent considerable staff time to enter and maintain the employee contact information data. As a logical follow-on to the previously purchased software, a renewal license contract is needed to continue the use of this software for a database and emergency notification service. LiveProcess is the only vendor who is authorized to sell this license because it is proprietary to their company. This is a follow-on contract for continued use of a proprietary software. There would be a substantial cost for staff to re-enter this data, and the Government does not expect to recover this cost through re-advertising the requirement. The medical center would have a lapse in emergency notification services for employees. This lapse in service could result in an unacceptable delay because there would be insufficient staff to provide medical services to Veterans in the event of an emergency.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The Contracting Officer reviewed the GSA Advantage website to perform market research for this acquisition. LiveProcess is the only manufacturer / contractor that sells the 1 year Subscription License for the Emergency Notification software that the Altoona VA currently uses.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The contracting officer has determined that the anticipated cost will be considered fair and reasonable because the GSA list price for these services is \$10,800 (the quoted price). The Contracting Officer also reviewed the previously purchased licenses and found that the historical acquisition price was \$10,800 (the quoted price).
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted pursuant to FAR Part 10. The CO reviewed GSA Advantage to determine price reasonableness and ensure that LiveProcess was the only contractor able to provide their licenses. The CO found that no other sources capable of satisfying the agency's requirements exist and determined that commercial items are available that will satisfy the agency's needs
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** NA
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** In the future, the James E VanZandt VA Medical Center will consider other software options for an employee contact database and emergency notification system, when the new system is outdated or no longer useful to foster competition for future acquisitions of the services being acquired.

In a future acquisition, the current software will not be required, which will remove the barriers to competition that have been identified. A follow-on acquisition for this software is not currently planned because the current software is new. A sole source effort is required for the planned time duration because the VA will use the LiveProcess software for 5 years.

12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.



Rebecca Long  
Safety Manager, Facilities Service  
Station 503, James E VanZandt VA Medical Center

4/17/12  
Date

13. **Approvals in accordance with FAR 6.304**

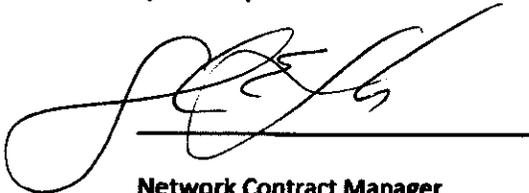
a. **Contracting Officer's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



Jennifer L. Hoover  
Contracting Officer  
Station 503, James E VanZandt VA Medical Center

4/18/2012  
Date

b. **NCM/PCM (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.



Network Contract Manager  
VISN 4

19 APR 12  
Date

