

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

Acquisition Plan Action ID: VA69D-17-AP-0150

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source:

Manufacturer/Contractor: Document Storage Systems, Inc (DSS)

Manufacturer/Contractor POC & phone number: Jeanne Pflaum, 561-398-2409

Mfgr/Contractor Address: 12575 US Hwy 1, Suite 200, Juno Beach, FL 33408

Dealer/Rep address/phone number: Jeanne Pflaum, 561-398-2409

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs
Great Lakes Acquisition Center
115 South 84th St
Milwaukee, WI 53214

VISN:

12

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

This is a limited sources justification to establish a new firm fixed price task order against FSS contract GS-35F-0485N for license renewal and support services of the Vista Chemotherapy Manager (VCM) software used by VISN 12 (base, plus four options).

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

Software licenses are required for an electronic chemotherapy software system that has comprehensive integration/interface with the current electronic health records use by Veterans Affairs (VISTA/Computerized Patient Record System (CPRS)). The software needed shall fully integrate/interface with the VISTA/CPRS system so that patient specific information, such as height, weight, allergies and laboratory results can be utilized to calculate patient doses, allergy alerts, dose alerts and have the ability to detail patient specific chemotherapy regimens. The software shall have the functional capability of placing medication orders directly into VISTA. Software support (helpdesk) shall be included with the software licensing (support to be available 24/7/365).

Under a previous Task Order (VA69D-13-F-5011), VISN 12 purchased the VCM software, including integration and installation of the system into Vista for all VISN 12 sites, and end-user training in the VCM system. To continue using the VCM system, which VISN 12 has fully integrated into Vista and the Computerized Patient Record System (CPRS), software licenses must be purchased on an annual basis for each site in the VISN (with the exclusion of VA Danville and VA Tomah which do not have VCM installed). The VCM Software Licenses come in three different sizes: Large, Medium and Small (license sizes vary based on the size of the medical facility).

(b) ESTIMATED DOLLAR VALUE: \$292,304.71 base; \$2,041,285.49 aggregate

(c) REQUIRED DELIVERY DATE: Base Period of Performance: 05/03/2017 – 05/02/2018

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

DSS is the creator of the VCM software currently utilized by VISN 12. The VCM software is unique, in that it is fully integrated/interfaced with VISTA/CPRS. There are other electronic chemotherapy software platforms available commercially, however, the VCM software created by DSS, is the only software that has a VISTA/CPRS interface. The VCM software is proprietary to DSS. DSS provides the VCM Software Licensing and support services through a GSA Contract (GS-35F-0485N).

☒ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

Previous Task Order VA69D-13-F-5011 off of GS-35F-0485N (DSS) was a VISN wide order placed with DSS for the development of chemotherapy manager software that would interface with Vista. The task order included installation, training, configuration of software and software licensing. A solicitation was posted on GSA eBuy (limited source procedures not used) for these services, however, the only response that was received was from DSS. As a result of this previous task order, VISN 12 now utilizes the VCM software that DSS developed. Purchasing the annual licensing from DSS for this software is a logical follow-on.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

In addition to the availability of the DSS VCM Software Licenses via GSA, the required software licensing and services are also available on NASA SEWP from three small business vendors that partner with DSS. Based on the informal quotes provided by these small business partners, the VA will pay a price of (base and options) should award be made to any of these companies. This is a total cost of (over the course of five years) more than what the VA would pay for VCM Software Licensing from DSS via their GSA Contract.

DSS' manufacturer list price for the VCM Software Licenses required is \$2,894,250.87 (base and options). The manufacturer list pricing is \$852,965.38 (over the course of five years) more than DSS' GSA contract pricing.

In addition to DSS' GSA Contract providing the most advantageous pricing (when compared to its SEWP partners' pricing), award to DSS would provide direct access to the company that owns the proprietary

rights to the software. All things considered, award to DSS on their GSA Contract provides the best value to the Government.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

A review of national contracts and prime vendors showed that the service required is not available from a VA NAC Contract source or any VA FSS Contracts or BPAs. A review of the Ability One services list revealed that the service required is not available from Ability One. A review of Unicom.gov revealed that the services required are not available from Federal Prison Industries. A search of GSA Advantage yielded results for one company that can provide the services required (DSS). A search of Vetbiz.gov for applicable NAICS and keywords did not achieve any results. With no relevant SDVOSBs or VOSBs found on the VetBiz website, a search was conducted on the SBA Dynamic Small Business Search using NAICS the applicable NAICS and keywords and this search also did not return any results. In addition to the market research conducted on GSA, SEWP, Vetbiz and the SBA DSBS, searches on FBO.gov revealed no results for awards for VCM Software Licensing. One Sources Sought notice (VA2611N0945) had been posted to FBO.gov for DSS Vista Chemotherapy licenses, but no resultant award was found on FBO. Internet searches for VCM Licensing did not identify any sources outside of DSS.

The required software licensing and services are also available on NASA SEWP from three small business vendors that partner with DSS

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

The CO cannot issue the same solicitation on both SEWP and GSA, allowing the CO to obtain quotes from both DSS on GSA and its partner companies on SEWP.

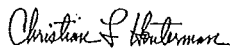
The next practicable option to obtain competition would be to post the requirement as an open market procurement via FBO. However, DSS only allows their partners to provide VCM through NASA SEWP, so they would be unable to quote on an open market solicitation. In addition, DSS has stated that they would likely quote their manufacturer's list price (which is \$852,965.38 more than the DSS' GSA pricing, as annotated in Paragraph 5) in response to any open market solicitation issued, and would not be able to honor their GSA rates.

The only practicable way the Government can obtain a fair and reasonable price and the best value to the Government is by purchasing VCM Licensing from DSS via their GSA contract. Based on market research and past acquisitions, DSS is the only company that provides VCM on GSA, and as such, there are not at least three schedule contractors that offer services that will meet the agency's needs. Restricting consideration to fewer than three schedule holders is appropriate and the most certain way that Government will achieve a fair and reasonable price.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

The Government will continue to review all possible sources available for services of this nature on future requirements.

(9) 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. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4.



Digitally signed by Houterman, Christian
Date: 2017.02.02 16:31:38 -06'00'

Feb 2, 2017

SIGNATURE

DATE

Christian Houterman

Program Manager

Clinical Informatics and Medical Technology

NAME

TITLE

SERVICE LINE/SECTION

Clement J. Zablocki VA Medical Center

FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM, Volume 6, Chapter VI: OFOC SOP:

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Jaclyn B. Alverson
904999

Digitally signed by Jaclyn B. Alverson 904999
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0.9.2342.19200300.100.1.1=jaclyn.alverson@va.
gov, cn=Jaclyn B. Alverson 904999
Date: 2017.02.03 09:46:35 -06'00'

2/3/2017

CONTRACTING OFFICER'S SIGNATURE

DATE

Jaclyn Alverson

NAME

Great Lakes Acquisition Center (NCO 12)

FACILITY

b. Director of Contracting/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Diane M Brazale 348123

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0.9.2342.19200300.100.1.1=diane.brazale@va.gov, cn=Diane M Brazale 348123
Date: 2017.02.08 20:11:06 -06'00'

SIGNATURE

DATE

Diane Brazale

Acting Director of Contracting, NCO 12

HIGHER LEVEL APPROVAL (Required For orders over \$700,000):

c. VHA SAO HCA REVIEW AND APPROVAL (over \$700,000 to \$13.5 million): I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and approve for restricting consideration of the Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4

Linda S. Greaves:
404790

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.gov, cn=Linda S. Greaves 404790
Date: 2017.02.22 11:48:59 -06'00'

2/22/2017

Linda S. Greaves

DATE

Acting, SAO Director, Central Region (10NA2)
SAO Central Head of Contracting Activity (HCA)