

LIMITED-SOURCES JUSTIFICATION

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
23 Christopher Way
Eatontown, New Jersey 07724
2. Description of Action: The proposed action is for a firm-fixed-price delivery order to be issued under General Services Administration (GSA) Federal Supply Schedule (FSS) Schedule 70 contract number GS-35F-0170K to Executive Information Systems (EIS), LLC, 6901 Rockledge Drive, Bethesda, Maryland 20817.
3. Description of the Supplies or Services: The Department of Veterans Affairs, Office of Information and Technology, Cooperative Studies Program (CSP) has a requirement for four for Statistical Analytics Software (SAS) software licenses for site 561777. This renewal will provide continued statistical analysis of research data necessary to conduct multi-search research studies and ensure studies being conducted by the Seattle CSP Epidemiologic Center will continue as planned. Annual maintenance is required for SAS Analytics Pro server license with modules for Access to Object Linking and Embedding, Databases, Access to PC File Format, and Open Database Connectivity. The period of performance shall be for one 12-month period beginning September 30, 2017 through September 29, 2018, with four 12-month option periods, if exercised.
4. Authority: This acquisition is conducted under the authority of the Multiple-Award Schedule Program. Federal Acquisition Regulation (FAR) 8.405-6(a)(1)(i)(B), "Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: Based on extensive market research, as described in section 8 of this justification, it was determined that EIS is the exclusive authorized reseller of SAS products and services of the aforementioned SAS software maintenance. The currently fielded SAS software is the only complete functional statistical program that can be utilized by the CSP because of compatibility with existing clinical trial databases throughout VA. To procure a new software in lieu of renewing the required SAS software maintenance, even if another software existed with qualifications that met the Government's requirement, would require a completely separate infrastructure to install and test along with training of VA staff on the use of a new software, which would cause multiple project delays for actions already in process. The SAS software code is proprietary and no manufacturer other than SAS or one of its authorized resellers can provide maintenance to this software. Failure to renew the software maintenance will result in an inability to receive software updates,

SAS Software Maintenance

including security patches and updates that are critical to protecting the CSP infrastructure.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. There is no competition anticipated for this acquisition.

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 future actions to be competed or if other software maintenance packages have the capability or interoperability to provide the updates required.

8. Market Research: Market research was conducted in May of 2017 via internet research in an attempt to determine whether software providers other than SAS could provide the requisite software maintenance. Other products researched were International Business Machines Statistical Package for the Social Sciences and Oracle Hyperion. The result of this research determined that, due to proprietary restrictions, only a brand name SAS software maintenance renewal can satisfy CSP's statistical and analytical requirements without complete replacement of the existing SAS software licenses.

In May of 2017, the Government contacted SAS and confirmed that it only conducts business with the Federal Government through EIS (small business). EIS was also contacted to determine what existing schedules or vehicles the SAS maintenance requirement can be procured from. EIS confirmed that only new SAS licenses can be procured under the National Aeronautics and Space Administration Solutions for Enterprise-Wide Procurement V Governmentwide Acquisition Contract (not software maintenance renewals) and only through a single authorized reseller; whereas all SAS products, including maintenance renewals, are available on its GSA Federal FSS 70 contract. Therefore, since EIS is the sole authorized reseller for the required SAS software maintenance renewals and since EIS only offers the renewals through its GSA FSS 70 contract, the solicitation will be issued on a sole source basis to EIS under GSA FSS 70 contract number GS-35F-0170K.

9. Other Facts: None.