

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
23 Christopher Way
Eatontown, NJ 07724

2. Description of Action: This proposed action is for a firm-fixed-price delivery order issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government Wide Acquisition Contract (GWAC) for GetWellNetwork (GWN) software upgrades and associated technical support services.

3. Description of the Supplies or Services: VA Veterans Health Administration Veterans Integrated Service Network (VISN) 17 has a requirement to upgrade the existing software deployed throughout the VISN to the Gateway Pathway Edition software suite. In Fiscal Year 2015, VA procured and had installed the GWN Interactive Patient Care System (IPCS). This GWN IPCS is a customizable solution that is utilized to improve patient satisfaction, education, and provide access to information about the patients care and services available to them. The GWN IPCS provides patients with a fully interactive resource and clinical tool, allowing access to education resources, communication tools, and entertainment options, as well as provides a web-based management console for reporting and real time changes to the system, patient alerts, patient pathways, nursing tools at the bedside and also at the nursing station, and a customized patient education system. The GWN infrastructure and equipment that comprises the GWN IPCS was installed in six VA Medical Centers with the product being installed and available in 1,217 patient rooms. VA has a need to upgrade the existing GWN IPCS software of the 1,217 IPCS deployed to the GWN Pathway Edition software suite to take full advantage of the interface capability and drive additional utilization and satisfaction, quality and operational outcome improvements. This upgrade will allow the GWN IPCS to operate with the current Veterans Health Information Systems and Technology Architecture (VistA)/ Computerized Patient Record System (CPRS) within the VISN 17 facilities. Also, as part of this upgrade, VA will obtain the GWN Digital Whiteboard application. The GWN Digital Whiteboard application runs on the upgraded software and provides functionality VA requires, such as streamlining patient care activities by auto-recording patient education activities directly into CPRS thus eliminating the need for the nurse to manually chart completion of video viewing in CPRS; improve the inpatient's stay and satisfaction surveys by allowing the inpatient the capability to communicate and provide input through this system for meal choices and environment of care requests; and through this software, will enable the patient to feel empowered to be connected with his/her plan of care and thus improving health and wellness of patient. Also included with this procurement are associated technical support services, such as implementation and training support, which shall be performed during the base period. Specifically, the contractor shall provide on-site, in-person user/operator training to VA staff at each of the six health care systems. The period of performance for this effort shall be a prorated 3-month base period with two subsequent 12-month option periods for renewal of the software

subscriptions that are being upgraded under this proposed contract action. The base period of performance has been prorated to coincide with the existing period of performance of the existing GWN IPCS contract, currently providing maintenance on the equipment.

4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B), entitled "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."

5. Rationale Supporting Use of Authority Cited Above: Based on market research, as described in section 8 of this document, it has been determined that limited competition is available among authorized resellers for the required GWN software suite upgrade and associated technical support. VISN 17 currently has GWN IPCS installed in six sites throughout the network.

Specifically, only upgraded GWN software is interoperable and compatible with the existing, deployed GWN IPCS solution. The GWN IPCS Solution is comprised of GWN brand name software and hardware. Specifically the existing GWN IPCS solution consists of software, licenses, servers, storage arrays, and cables. These licenses, software and hardware items are proprietary to GWN and can only work with GWN software because of the proprietary constraints within the GWN IPCS. No other brand name software is able to communicate with the GWN software. Not procuring this product would result in equipment failure and impact Veterans care. The currently fielded GWN IPCS hardware is extensive and would have to be replaced if any other brand name software was used, as the GWN product is not inter-changeable with other software or hardware. Extensive delivery delays of 18 months and duplicated costs of \$18M would occur if a product other than GWN was procured. This estimate is based on previous efforts conducted by VA to obtain these items.

In addition, only the GWN software can meet all of VA's functional requirements because it is the only software suite that can provide the requisite Hospital Level 7 (HL7) interface requirements. The HL7 interface requirements are required by VA and allow for the transfer of clinical and administrative data between the IPCS software application and VistA/CPRS. No other brand name software can provide this critical VA functional requirement, as no other product has been developed to interface with VA's VistA/CPRS application.

Included with this proposed effort is the procurement of associated technical support services. The required associated technical support services can only be performed by GWN or its authorized resellers, as access is required to the proprietary software code for the implementation of the software upgrade at the VA facilities. Furthermore, no other source has access to the GWN training materials, which are proprietary to GWN and required to provide training to VA staff.

Without this upgrade of the GWN software suite, the IPCS will not be able to communicate with VistA/CPRS, thereby hindering VA's ability to complete its mission for care for the Veteran. Specifically, VA would be unable to automate clinical workflow such as: Patient Safety Education, Hand Hygiene Education, Diagnosis / Medication Education, Fall Prevention, Pain Management, Discharge Planning, Patient-Staff and Provider Hand-off Communication, Patient Satisfaction Feedback, and Service Recovery, which are facilitated through the Pathway Edition and HL7 interface process.

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. It was determined, however, that limited competition is viable among authorized resellers for the required brand name items. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), the award notice for this action will be synopsisized within 14 days of award on the Federal Business Opportunities Page (FBO) along with a copy of this justification. Further, this justification will also be posted to the NASA SEWP V GWAC website along with the Request for Quotation.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will work with the program office to perform additional market research so that other solutions can be considered.

8. Market Research: In January 2017, a review of other companies that provide similar software suites was conducted; however, due to proprietary issues with GWN product, other company solutions did not meet requirement of interoperability and compatibility with the existing solution as discussed in section five of this justification. Specifically, VA reviewed other manufacturers such as Allen Technologies and SONIFI Health. Additionally, neither of these solutions could meet VA's interoperability and compatibility requirements and could not meet VA's HL7 requirement. Additionally, no other source, other than the Original Software Developer or its authorized reseller has access to the proprietary software code to provide the required associated technical support services. Therefore, based on Market Research conducted, GWN is the only brand name that can provide the required software suite upgrade and associated technical support services.

Additionally, VA conducted additional market research in February 2017 under NASA SEWP. It was determined that there are multiple vendors who can provide the requisite software suite upgrade and associated technical support. Therefore, limited competition is viable.

9. Other Facts: None