

JUSTIFICATION FOR A SOLE SOURCE AWARD
FOR CERTAIN COMMERCIAL ITEMS

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition and Logistics
Technology Acquisition Center
1701 Directors Blvd
Austin, TX 78744

2. Description of Action: The proposed sole source action is for a firm-fixed price effort for the installation and operation of kiosks at the Manila VA Hospital. The purchase order is to be issued to Minuteman Technology Services, 860 E 4th Street, Boston, MA 02127 a Service Disabled Veteran Owned Small Business (SDVOSB).

3. Description of Supplies or Services: The proposed action is for the installation and operation of kiosks at the Manila VA Hospital. This support shall include remote site and onsite verification of kiosks locations; pre-deployment activities and deployment activities for the kiosks; and grand opening week support. The remote site verification support shall include coordinating with Manila office of information technology staff to verify access control list (ACL) and Virtual LAN settings and that they have been applied. The Contractor shall also verify network connectivity, ACL settings, and URL access from clerk computers, connectivity speed, and performance. The total estimated value of the proposed action is [REDACTED]

4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C. 1903 as implemented by the Federal Acquisition Regulation (FAR) Subpart 13.501, entitled "Special Documentation Requirements".

5. Rationale Supporting Use of Authority Cited Above: Due to the proprietary codes and information owned by Vecna; Minuteman Technology Services is the exclusive authorized reseller of Vecna products and services as detailed in the market research section. Minuteman Technology Services or Vecna can provide the configuration and installation of the servers and kiosks owned by the Government. This is a critical need in order for the VA to ensure timely care of veteran's located in the Philippines. The installation and configuration cannot be provided by any other provider due to Vecna's proprietary codes that are used to install the kiosks. The Kiosks are currently stored in Vecna's warehouse and must be shipped from there to Manila, as well as configured prior to shipment. No other company in the Philippines has access to the codes, and Vecna has not authorized any other retailer access or rights to the codes. The codes and configuration needed to install the kiosks at Manila are required to provide for interoperability of the kiosks with those throughout all VA facilities. The costs associated in the logistics to have another contractor provide this requirement would not be prudent and would cost the Government additional funds, which is not in the best interest of the Government. Therefore, only Minuteman Technology Services can provide the configuration and installation of these servers and kiosks.

6. Efforts to Obtain Competition: A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies. TAC-Austin will make publicly available this justification along with the solicitation in accordance with FAR 13.501(a)(1)(iv)).

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: VA technical experts conducted market research in March 2017 by reviewing similar manufactures that are capable of providing the services for this requirement. Manufactures reviews include [REDACTED] [REDACTED] Market research determined that the kiosks being deployed were purchased from Vecna. Vecna also owns the installation codes and configuration. It was found that due to proprietary software restrictions, Vecna has retained all rights to the software codes. As a result, there are no authorized resellers for this product. Vecna Technologies, Inc. is a small business. In March 2017, the Government contacted Vecna Technologies, Inc. and confirmed their sole proprietorship for the software codes necessary for this requirement.

The Contract Specialist (CS) conducted market research in August 2017, by searching the GSA e-Library web site and found no other vendors, other than Vecna, for this requirement. In addition, a search was performed on the Vendor Information Pages for "Vecna Technologies, Inc." and North American Industry Classification System code "541511." The search yield zero matches. Finally, additional market research was performed by searching for the provider on the NASA SEWP V GWAC website. There were 2 matches found via NASA SEWP V GWAC website. Although market research found resellers, the vendors found are not capable of performing the services for this particular requirement. This was confirmed when the CS contacted Vecna Technologies, Inc. A representative of the company confirmed in an e-mail there are no authorized resellers who have access to the Vecna software code necessary to deploy the COTS software and hardware in the VA. In a dated August 25, 2017; a representative from Vecna stated that a strategic partnership and distributor agreement with Minuteman Technology Services, LLC. has been finalized. This is the only authorized reseller for these services.

9. Other Facts: N/A

10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

[Redacted]

11. Determination of Best Value: I hereby determine that the proposed contract action will represent the best value to the Government consistent with FAR 8.404(d). GSA has already determined that the prices on the FSS contract are fair and reasonable. The quote will be compared to the Independent Government Cost Estimate and the published list pricing for the software maintenance. Additionally, price discounts will be sought.

[Redacted]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

[Redacted]