

## DEPARTMENT OF VETERANS AFFAIRS

### Justification and Approval (J&A) For Other Than Full and Open Competition (>\$150K)

#### HIGLINT STATdx Point of Care Radiology Diagnostic Clinical Decision Support Product/Subscription

**1. Contracting Activity:**

Department of Veterans Affairs, Veterans Health Administration (VHA), Program Contracting Activity Central (PCAC), 6150 Oak Tree Blvd, Suite 300, Independence, OH 44131. Office of Informatics and Information Governance (OIIG), VA Library Network Office, offer this Justification for Other Than Full and Open competition. Purchase Request Number is 776-17-4-8152-0321.

**2. Nature and/or Description of the Action Being Processed:**

This request is for a continuation of an existing subscription to the STATdx Point of Care Radiology Diagnostic Clinical Decision Support Product for the VHA Library Network Office. The proposed action is for a new standalone, firm-fixed price contract (Base plus four (4) option years).

This procurement is being conducted in accordance with FAR 13.5 Simplified Procedures for Certain Commercial Items and specifically FAR 13.501 Special Documentation Requirements, where acquisitions conducted under Simplified Acquisition Procedures are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2

**3. Description of Supplies/Services Required to Meet the Agency's Needs:**

STATdx, published by Elsevier, is an existing, commercial, off-the-shelf, web-based, point of care radiology diagnostic clinical decision support product currently utilized by clinicians throughout the VA which is designed to provide information at the patient's bedside or point of care and includes a mechanism to support and provide clinical radiology decision support knowledge at the point-of-care. STATdx includes over 200,000 searchable images that can be easily navigated by caregivers. 4,300 diagnoses written by radiology experts are accessible with the program. Additionally, the subscription includes the ability to use RAD search to search alternating information online in a 508-compliant package.

The estimated total value of the acquisition is \$1,415,000.00, for the five (5) year life of the contract. A year-by-year estimated cost breakdown is as follows:

|                      |                     |              |
|----------------------|---------------------|--------------|
| Base Contract Period | 9/22/2017-9/21/2018 | \$283,000.00 |
| Option Year 1 of 4   | 9/22/2018-9/21/2019 | \$283,000.00 |
| Option Year 2 of 4   | 9/22/2019-9/21/2020 | \$283,000.00 |
| Option Year 3 of 4   | 9/22/2020-9/21/2021 | \$283,000.00 |
| Option Year 4 of 4   | 9/22/2021-9/21/2022 | \$283,000.00 |

**4. Statutory Authority Permitting Other than Full and Open Competition:**

FAR 13.5 Simplified Procedures for Certain Commercial Items: The authority for applying the Simplified Procedures for Commercial Items of FAR 13.5 is 41 U.S.C. 1901 and is implemented by for restricting competition on this procurement via FAR 13.106-1(b)(2).

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

STATdx is a point-of-care online diagnostic decision support system and online diagnostic decision support solution that increases accuracy and confidence in diagnosing complex imaging cases. Primary users of STATdx are radiologists and other caregivers; however, its use is also prevalent in academic settings as well. STATdx has distinct features and competencies not found in other radiology clinical decision support systems. The database for this product is extensive and has been used throughout the VHA in similar formats by caregivers since 2013. STATdx unique features and competencies include:

- 200,000 high-quality, expert selected and annotated image examples, including x-ray CT, MR and ultrasound images
- More than 1,300 differential diagnosis modules based on anatomy, imaging patterns clinical presentation or modality-specific findings
- Over 4,000 common and complex diagnoses
- STATDX Global Search, an exclusive feature, allows non English speakers to search STATdx in 49 different languages
- Over 20,000 supporting individual patient cases, each of which includes demographics, history, case description, and the author/contributor
- Annotations from a renowned expert in that field with numerous labeled images
- 195 concise, detailed radiological procedures with step-by-step guidelines, pre-, intra-, and post procedure tips
- Image search tool to quickly browse through the 200,000 high quality annotated images

Further, Elsevier also meets the VA's needs by providing enterprise-wide access to their content with no geographic or concurrent user limitations. This product is 508 compliant per government needs.

Elsevier is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:**

A special notice of intent to sole source (VA701-17-N-0137) was posted to FBO.gov on 05/04/2017 with responses due by 05/18/2017 at 10:00 AM. No responses were received.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:**

The Government will use price analysis to verify that the overall price offered is fair and reasonable. This will include, but is not limited to a comparison of the proposed price to historical prices paid for the same or similar items; and a comparison of the proposed price to the Independent Government Cost Estimate (IGCE). The Contracting Officer may need to conduct additional analysis before making a fair and reasonable price determination

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:**

In accordance with FAR Part 10, market research has been conducted for this acquisition. The following techniques were used:

A search was conducted on the GSA e-Library under Schedule 76 – Publication Media/SIN 760-2 – Periodicals, Subscriptions Services. There are a total of 25 vendors, a total of one (1) SDVOSB vendors, and two (2) VOSB vendors. A review of these vendor's price lists found the Elsevier subscription package offered by the vendor did not meet the Government's requirements.

A search was conducted on [www.vetbiz.gov](http://www.vetbiz.gov) to attempt to find veteran businesses (SDVOSB and VOSB) utilizing NAICS code 519130. Upon review of these vendors zero (0) can offer a STATdx subscription.

A search was conducted via [http://dsbs.sba.gov/dsbs/search/dsp\\_dsbs.cfm](http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm) located within the Small Business Association's (SBA) website utilizing NAICS code 519130. The search came back with zero (0) results.

The Senior National Accounts Manager of Elsevier was contacted by Email and asked if they would allow any resellers. Elsevier stated that no resellers could be used.

**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:**

As stated in Section 8 of this J&A, a Notice of Intent to Sole Source was published to FBO.gov and no responses were received. Additionally, an email was sent to the Government point of contact for Elsevier, which confirmed that no verified SDVOSB or VOSB could supply this product. Further market research confirmed this. The content of the STATdx Point of Care Radiology Diagnostic Clinical Decision Support Product contains numerous features that are not contained in any other product on the marketplace.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

Elsevier.

**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:**

None.

- 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.

Thomas P. Waugh 105835

Digitally signed by Thomas P. Waugh 105835  
DN: dc=gov, dc=va, o=internal, ou=people,  
0.9.2342.19200300.100.1.1=tom.waugh@va.gov, cn=Thomas P.  
Waugh 105835  
Date: 2017.06.26 13:17:58 -05'00'

Tom Waugh  
Librarian, VHA Library Network Office

\_\_\_\_\_  
Date

**Approvals in accordance with the [VHAPM, Part 806.3 OFOC SOP](#).**

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

Andrea L. Fink  
198348

Digitally signed by Andrea L. Fink 198348  
DN: dc=gov, dc=va, o=internal, ou=people,  
0.9.2342.19200300.100.1.1=andrea.fink@va.  
gov, cn=Andrea L. Fink 198348  
Date: 2017.06.26 14:30:22 -04'00'

Andrea Fink  
Contracting Officer  
PCAC

\_\_\_\_\_  
Date

- b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
Richard Dahmen  
Director of Contracting  
PCAC

\_\_\_\_\_  
Date

- c. **VHA SAO HCA Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval (if over \$13.5 million) or approve (\$700K to 13.5 million) for other than full and open competition.

\_\_\_\_\_  
Linda Greaves  
VHA Head of Contracting Activity (HCA)  
SAO Central

7/6/2017  
\_\_\_\_\_  
Date

### Attachment 3—Market Research Report Template

| Market Research Report   |  |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
|--|--|-------------------------------|--|----------------------|---------------------|-----------|--------------------|---------------------|-----------|--------------------|---------------------|-----------|--------------------|---------------------|-----------|--------------------|---------------------|-----------|--------------------------|--|-------------|
| <b>Note:</b> This template is not required to be uploaded into eCMS for actions under \$1M. However, <b>COs must ensure supporting documentation is uploaded to support a decision not to set-aside an action for SDVOSB/VOSB.</b>   |  |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Date:  | 04/18/2017   |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Purchase Request/2237 Number:  | 776-17-4-8251-0321   |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Description of requirement:  | HIGHLINT SST Statdx (Point of Care Radiology Diagnostic Subscription)  |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Period of Performance  | Base plus four option periods of 12 months   |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Estimated Value:   | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; text-align: right;">Base Contract Period</td> <td style="width: 30%; text-align: center;">9/22/2017-9/21/2018</td> <td style="width: 30%; text-align: right;">\$283,000</td> </tr> <tr> <td style="text-align: right;">Option Year 1 of 4</td> <td style="text-align: center;">9/22/2018-9/21/2019</td> <td style="text-align: right;">\$283,000</td> </tr> <tr> <td style="text-align: right;">Option Year 2 of 4</td> <td style="text-align: center;">9/22/2019-9/21/2020</td> <td style="text-align: right;">\$283,000</td> </tr> <tr> <td style="text-align: right;">Option Year 3 of 4</td> <td style="text-align: center;">9/22/2020-9/21/2021</td> <td style="text-align: right;">\$283,000</td> </tr> <tr> <td style="text-align: right;">Option Year 4 of 4</td> <td style="text-align: center;">9/22/2021-9/21/2022</td> <td style="text-align: right;">\$283,000</td> </tr> <tr> <td style="text-align: right;">Total Estimated Contract</td> <td></td> <td style="text-align: right; border-top: 1px solid black;">\$1,415,000</td> </tr> </table> |                               |  | Base Contract Period | 9/22/2017-9/21/2018 | \$283,000 | Option Year 1 of 4 | 9/22/2018-9/21/2019 | \$283,000 | Option Year 2 of 4 | 9/22/2019-9/21/2020 | \$283,000 | Option Year 3 of 4 | 9/22/2020-9/21/2021 | \$283,000 | Option Year 4 of 4 | 9/22/2021-9/21/2022 | \$283,000 | Total Estimated Contract |  | \$1,415,000 |
| Base Contract Period   | 9/22/2017-9/21/2018  | \$283,000                     |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Option Year 1 of 4   | 9/22/2018-9/21/2019  | \$283,000                     |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Option Year 2 of 4   | 9/22/2019-9/21/2020  | \$283,000                     |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Option Year 3 of 4   | 9/22/2020-9/21/2021  | \$283,000                     |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Option Year 4 of 4   | 9/22/2021-9/21/2022  | \$283,000                     |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Total Estimated Contract   |  | \$1,415,000                   |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Product Service Code (PSC) - Federal Supply Codes (FSC):   | R605   |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| NAICS Code:  | 519130   |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Size Standard for NAICS:   | 1000   |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Market Research Findings:  |  |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| <p><b>Per PPM 2016-05 Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision:</b> 38 U.S.C. § 8127 is mandatory, not discretionary and its text requires the Department to <b>apply the Rule of Two to all contracting determinations; The Rule of Two contracting procedures in 38 U.S.C. § 8127(d) are not limited</b> to those contracts necessary to fulfill the Secretary's goals under § 8127(a); and <b>38 U.S.C. § 8127(d) applies to orders placed against the Federal Supply Schedules (FSS).</b></p> |  |                               |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| Supplies (Mandatory IAW FAR 8.002):  |  | Results from Market Research: |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| (1) VA inventories including the VA supply stock program (41 CFR 101-26.704) and VA excess:  |  | Not Available                 |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| (2) Excess from other agencies (FAR 8.002):  |  | Not Available                 |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |
| (3) *Federal Prison Industries (FPI) (See VAAR 808.603 Purchase Priorities)<br>*VA COs may purchase supplies and services produced or provided by FPI from eligible service disabled veteran-owned small businesses and veteran-owned small businesses, in accordance with procedures set forth in subpart 819.70, without seeking a waiver from FPI, in accordance with 38 U.S.C. 8128, Small business concerns owned and controlled by veterans: Contracting priority  |  | Not Available                 |  |                      |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                    |                     |           |                          |  |             |

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| <p>(4) <a href="#">Supplies from Ability One - (VA AbilityOne Procurement List for Supplies/Services)</a> (FAR 8.002):<br/>However, VA COs shall, <b>prior to adding any new</b> VA requirements to the Procurement List, conduct market research, apply the <i>VA Rule of Two</i> to consider <a href="#">Vendor Information Pages (VIP)</a> verified service-disabled veteran-owned small businesses (SDVOSBs) and veteran-owned small businesses (VOSBs) as required in 38 U.S.C. 8127 and implemented in <a href="#">subpart 819.70</a>.</p>  | Not Available                               |
| <p>(5) <a href="#">Wholesale supply sources</a> such as stock programs of the GSA (see 41 CFR 101-26.3), the Defense Logistics Agency (see 41 CFR 101-26.6), the Department of Veterans Affairs (see 41 CFR 101-26.704 (<a href="#">VA Subsistence Items</a>), and military inventory control points.</p>   | Not Available                               |
| <p>(6) <a href="#">Prime Vendor</a> and <a href="#">National Contracts/BPAs</a>: Reference <a href="#">CPL&amp;O Memo dated 23Aug16, Subj: Mandatory Use of Prime Vendor Distribution Contracts and National Contracts</a>): It is VHA's policy that any item(s) that is/are available in prime vendor formularies/catalogs, it is mandatory in VHA that any such item(s) will be "ordered"/acquired through the prime vendor. It is also VHA's policy that items available on national contracts/BPAs that are not available via prime vendor distribution networks will <b>be acquired by placing appropriate orders</b> against these national contracts. Such orders will only be placed by properly warranted COs or properly trained Ordering Officers appointed by the appropriate CO. <b>In cases where an Ordering Officer has been appointed, orders placed are not competitive contracting actions subject to the requirements of 38 U.S.C. 8127.</b> In cases where OO appointments are NOT available, the appropriate <b>CO must make a determination as to whether the Rule of Two applies</b> (see the <a href="#">Decision Tree Tool</a> to assist with the determination).</p> | Not Available                               |
| <p><b>Services (Mandatory IAW <a href="#">FAR 8.002</a>):</b></p>   | <p><b>Results from Market Research:</b></p> |
| <p>(1) Services that are on the <a href="#">Procurement List</a> maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (see <a href="#">subpart 8.7</a>). <b>Note:</b> VA COs shall, <b>prior to adding any new</b> VA requirements to the Procurement List, conduct market research, apply the <i>VA Rule</i></p>  | Not Applicable                              |

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| <p>of Two to consider <a href="#">VIP</a> verified SDVOSBs) and VOSBs as required in 38 U.S.C. 8127 and implemented in <a href="#">subpart 819.70</a>.</p>   |   |
| <p>(2) Unusual and compelling urgency. The contracting officer may use a source lower in priority than as specified in <a href="#">808.002-70</a> when the need for supplies or services is of an unusual and compelling urgency (see FAR <a href="#">Subpart 6.302-2</a> and FAR <a href="#">Subpart 8.405-6</a>).</p>  | <p>Not Applicable</p>   |
| <p><b>Use of Other Mandatory Sources (FAR 8.003):</b></p>  | <p><b>Results from Market Research:</b></p>   |
| <p>Agencies shall satisfy requirements for the following supplies or services from or through specified sources, as applicable:</p> <ul style="list-style-type: none"> <li>(a) Public utility services (see <a href="#">part 41</a>).</li> <li>(b) Printing and related supplies (see <a href="#">subpart 8.8</a>).</li> <li>(c) Leased motor vehicles (see <a href="#">subpart 8.11</a>).</li> <li>(d) Strategic and critical materials (e.g., metals and ores) from inventories exceeding Defense National Stockpile requirements (detailed information is available from the DLA Strategic Materials, 8725 John J. Kingman Rd., Suite 3229, Fort Belvoir, VA 22060-6223).</li> <li>(e) Helium (see <a href="#">subpart 8.5</a> -- Acquisition of Helium).</li> </ul>  | <p>Not Available</p>  |
| <p><b>Mandatory Sources for VA Ref. 38 U.S.C. 8127 and 8128:</b></p>   | <p><b>Results from Market Research:</b></p>   |
| <p>Search the Vendor Information Pages (VIP) database at <a href="https://www.vip.vetbiz.gov/">https://www.vip.vetbiz.gov/</a> and document their findings to ensure compliance with 38 U.S.C. 8127's "Rule of Two." <b>VA must set aside procurements for VOSBs when market research determines that two or more VOSBs are able to meet the procurement requirements at a fair and reasonable price that offers the best value to the United States. NOTE: A determination of price fair and reasonableness does not have to be done during market research phase BUT is required prior to contract award.</b></p> <p><b>NOTE:</b> In the paragraph above, "VOSBs" includes SDVOSBs. If market research reveals there are one SDVOSB and one VOSB, the action should be set aside for VOSB because a SDVOSB is also a VOSB.</p> <p>✓ <b>Conduct Market Research by NAICS in <a href="#">VIP</a></b></p> | <p>Does the CO have a reasonable expectation that <b>two or more verified SDVOSBs/VOSBs in VIP</b> is capable of providing the item will submit offers, and that the award can be made at a <b>fair and reasonable price</b> that offers the best value to the United States?</p> <p><input type="checkbox"/> <b>Yes</b>, action can be set-aside—two or more eligible SDVOSB/VOSBs can provide item(s) at reasonable price</p> <p><input checked="" type="checkbox"/> <b>No</b>, there are NOT two or more eligible VOSBs that can provide the items. COs should attach supporting documentation (excel spreadsheet with VIP search results or screen shots with search results) under (P02)</p> |



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| <ul style="list-style-type: none"> <li>✓ Verify Companies are VOSBs for <a href="#">Size Standard for NAICS</a> in the <a href="#">System for Award Management (SAM)</a> “Reps and Certs”</li> <li>✓ Verify in <a href="#">VIP</a></li> <li>✓ SDVOSB or VOSB set-aside is subject to the Limitations on Subcontracting clauses—<a href="#">VAAR 852.219-10</a>. Any SDVOSB or VOSB that proposes to furnish an end product it did not manufacture (a “nonmanufacturer”) must meet the requirements in <a href="#">FAR 19.102(f)</a> to receive a benefit under the Veterans First Contracting Program.</li> </ul> |                                       |
| <b>808.004-70 Use of Non-Mandatory Sources by VA.</b>   | <b>Results from Market Research:</b>  |
| <p>(1) IDIQ Contracts awarded by VISN, Region, or Local VA Contracting Officers for FSC Groups 65 and 66.</p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the VISN/Regional/Local IDIQ contracts, use competitive set-aside procedures</i></p>   | <p><a href="#">Not Applicable</a></p> |
| <p>(2) GSA FSS and Pre-Existing Contracts, including Interagency and Intra-agency Contracts.</p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the GSA FSS/Pre-Existing Contracts including IAs, use competitive set-aside procedures</i></p>  | <p>Not Applicable</p>                 |
| <p>(3) Open Market Purchases, including Educational and Non-Profit Institutions.</p> <p>✓ <i>If two or more verified SDVOSBs/VOSBs in VIP is on the open market, including educational/non-profit contracts, use competitive set-aside procedures</i></p>   | <p>Not Applicable</p>                 |
| <p>(4) Eligible Beneficiaries:</p> <p>1) A CO may authorize an acquisition from the Veterans Canteen Service or a commercial source when a VA healthcare official (e.g., social worker, physician) determines that personal selection of shoes, clothing, and incidentals will result in a therapeutic benefit to an eligible beneficiary.</p> <p>2) The CO must cite FPI, Inc., clearance No. 1206 in the purchase document for any purchase of dress shoes from the</p>   | <p>Not Applicable</p>                 |



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| <p>Veterans Canteen Service or a commercial source similar to FPI, Inc., Style No. 86-A.</p>  |   |
| <p>(5) Three contracts for desktops and laptops have been established as mandatory:</p> <ul style="list-style-type: none"> <li>a. <a href="#">NASA Solutions for Enterprise-Wide Procurement (SEWP)</a></li> <li>b. <a href="#">GSA IT Schedule 70</a></li> <li>c. National Institutes of Health Information Technology Acquisition and Assessment Center Chief Information Officer – <a href="#">Commodities and Solutions (CIO-CS)</a></li> </ul> <p>✓ <b><i>If two or more verified SDVOSBs/VOSBs in VIP is on the SEWP, GSA IT Schedule 70 contracts or others in this category, use competitive set-aside procedures</i></b></p>   | <p>Not Applicable</p>                       |
| <p><b>Use of Other Sources (FAR 8.004)</b></p>  | <p><b>Results from Market Research:</b></p> |
| <p>If an agency is unable to satisfy requirements for supplies and services from the mandatory sources listed in <a href="#">8.002</a> and <a href="#">8.003</a>, <b>agencies are encouraged</b> to consider satisfying requirements from or through the non-mandatory sources listed in paragraph (a) of this section (not listed in any order of priority) before considering the non-mandatory source listed in paragraph (b) of this section. When satisfying requirements from non-mandatory sources, see <a href="#">7.105(b)</a> and <a href="#">part 19</a> regarding consideration of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business (including 8(a) participants), and women-owned small business concerns (see VAAR <a href="#">819.7004</a>). VA COs must comply with <a href="#">PPM 2016-05 Implementation of the Veterans First Contracting Program as a Result of the U.S. Supreme Court Decision.</a></p> <p>(a)(1) Supplies. Federal Supply Schedules, Governmentwide acquisition contracts, multi-agency contracts, and any other procurement instruments intended for use by multiple agencies, including blanket purchase agreements (BPAs) under Federal Supply Schedule</p> | <p>Not Applicable</p>                       |

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| <p>contracts (e.g., Federal Strategic Sourcing Initiative (FSSI) agreements accessible at <a href="http://www.gsa.gov/fssi">http://www.gsa.gov/fssi</a> (see also 5.601)).</p> <p>(2) Services. Agencies are encouraged to consider Federal Prison Industries, Inc., as well as the sources listed in paragraph (a)(1) of this section (see <a href="#">subpart 8.6</a>).</p> <p>(b) Commercial sources (including educational and non-profit institutions) in the open market.</p> <p>✓ <b><i>If two or more verified SDVOSBs/VOSBs in VIP is on any of the categories above, use competitive set-aside procedures</i></b></p>  |                       |              |                       |        |                 |                   |           |
|--|-----------------------|--------------|-----------------------|--------|-----------------|-------------------|-----------|
| <p><b>Customary Commercial Terms and Conditions:</b></p> <p>1. Per <a href="#">FAR 10.002</a>, market research is conducted to determine if commercial items or nondevelopmental items are available to meet the Government's needs or could be modified to meet the Government's needs.</p> <p><b>Information specific to the item being acquired, including but not limited to:</b></p> <p style="margin-left: 20px;"><b>a. Whether the Government's needs can be met by –</b></p> <p style="margin-left: 40px;">(1) Items of a type customarily available in the commercial marketplace:</p> <p style="margin-left: 20px;"><b>b. Customary practices regarding customizing, modifying or tailoring of items to meet customer needs and associated costs:</b></p> <p style="margin-left: 40px;">N/A</p> <p style="margin-left: 20px;"><b>c. Customary practices, including warranty, buyer financing, discounts, contract type considering the nature and risk associated with the requirement, etc., under which commercial sales of the products are made:</b></p> <p style="margin-left: 40px;">N/A</p> <p style="margin-left: 20px;"><b>d. The requirements of any laws and regulations unique to the item being acquired:</b></p> <p style="margin-left: 40px;">N/A</p> <p style="margin-left: 20px;"><b>e. The availability of items that contain recovered materials and items that are energy efficient:</b></p> <p style="margin-left: 40px;">N/A</p> <p style="margin-left: 20px;"><b>f. Results from <a href="#">VIP</a>--are there two or more verified SDVOSB/VOSBs that are able to meet the procurement requirements?</b></p> <p style="margin-left: 40px;">No.</p> |                       |              |                       |        |                 |                   |           |
| <p><b>Summary of Market Research Results:</b></p> <p><b>2. MARKET PRICE:</b></p> <p>\$ 283,000.00</p> <p><b>3. ACQUISITION HISTORY:</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 33%;">Order Number</th> <th style="width: 33%;">Period of Performance</th> <th style="width: 33%;">Amount</th> </tr> </thead> <tbody> <tr> <td>VA701-14-j-0165</td> <td>9/22/16 - 9/21/17</td> <td>\$280,270</td> </tr> </tbody> </table>  |                       | Order Number | Period of Performance | Amount | VA701-14-j-0165 | 9/22/16 - 9/21/17 | \$280,270 |
| Order Number   | Period of Performance | Amount       |                       |        |                 |                   |           |
| VA701-14-j-0165  | 9/22/16 - 9/21/17     | \$280,270    |                       |        |                 |                   |           |

### Attachment 3—Market Research Report Template

|   |                   |           |
|---|-------------------|-----------|
| VA101(49A3)-12-A-0009<br>P00002 (option 2/3)                    |                   |           |
| VA701-14-j-0165<br>VA101(49A3)-12-A-0009<br>P00001 (option 1/3) | 9/22/15 - 9/21/16 | \$280,270 |
| VA701-14-j-0165<br>VA101(49A3)-12-A-0009                        | 9/22/14 - 9/21/15 | \$280,270 |

#### 4. OTHER PERTINENT INFORMATION:

This product in FY14, FY15, and FY16 awarded the contract through the BOA. Elsevier has changed their policy and now requires a signature on their contract if awarded through the BOA. VA legal has advised VA contracting officers not to sign any Elsevier contract and instead add any Elsevier terms and conditions as an addendum to any awarded contract.

#### 5. RECOMMENDATION:

Market Research has indicated there is only one source, Elsevier, which can fully meet the Government's requirements. Based upon the results of the market research detailed in this memorandum and the history of this acquisition, it is the Contracting Officer's discretion to request a quote from Elsevier in accordance with FAR 13.106-1(b)(2).

#### Program Office Point of Contact:

Name: \_\_\_\_\_

#### Prepared by:

Andrea L. Fink

Name: 198348

Andrea Fink

Contracting Officer

Digitally signed by Andrea L. Fink 198348  
DN: dc=gov, dc=va, o=internal, ou=people,  
0.9.2342.19200300.100.1.1=andrea.fink@va.gov,  
cn=Andrea L. Fink 198348  
Date: 2017.05.22 13:46:37 -04'00'

IGCE for HIGLINT SST Point of Care Radiology Diagnostic Clinical  
Decision Support Product/Subscription (STATdx)  
(Base Plus Four (4) Option Years)

IGCE developed by Tom Waugh and Brian Jarrell on 3/3/2017 and 3/30/2017 based on 1,200 users and estimated/average 1% total increase for Base plus 4 OYs.

|                      | Point of Care Radiology<br>Diagnostic Clinical Decision<br>Support Product/Subscription<br>(STATdx) |                 | Percent (%)<br>Increase<br>Over Prior<br>Year | Percent (%)<br>Increase<br>Over Prior<br>Year |
|----------------------|---|-----------------|---|---|
| Base Contract Period | 9/22/2017-9/21/2018   | \$ 283,000.00   | 1.00%   |   |
| Option Year 1 of 4   | 9/22/2018-9/21/2019   | \$ 283,000.00   | 0.00%   |   |
| Option Year 2 of 4   | 9/22/2019-9/21/2020   | \$ 283,000.00   | 0.00%   |   |
| Option Year 3 of 4   | 9/22/2020-9/21/2021   | \$ 283,000.00   | 0.00%   |   |
| Option Year 4 of 4   | 9/22/2021-9/21/2022   | \$ 283,000.00   | 0.00%   |   |
|                      |   | \$ 1,415,000.00 | Total   | 1.00%   |

| History<br>VA101(49A3)-12-A-0009; VA701-14-J-0165<br>Point of Care Radiology Diagnostic Clinical<br>Decision Support Product/Subscription<br>(STATdx) | *Option Year 3 of 3 was not exercised<br>because the last date to place an order on<br>the old Cox Library BOA VA101(49A3)-12-A-<br>0009 is 6/27/17, and our need date of<br>9/22/17 is after that date. | Percent (%)<br>Increase<br>Over Prior<br>Year |
|---|--|---|
| Base (776C40194)  | 9/22/2014-9/21/2015  | \$ 280,275.00                                 |
| OY 1 of 3 (776C50099)   | 9/22/2015-9/21/2016  | \$ 280,275.00 0.00%                           |
| OY 2 of 3 (776C60098)   | 9/22/2016-9/21/2017  | \$ 280,275.00 0.00%                           |
| OY 3 of 3 (Not Exercised*)  | 9/22/2017-9/21/2018  | \$ 280,275.00 0.00%                           |
|   |  | \$ 1,121,100.00 Total                         |

**VA701-17-AP-0180 HIGLINT SST STATdx Point of Care Radiology Diagnostic Clinical Decision Support  
Product/Subscription**

**BACKGROUND INFORMATION:** The Department of Veterans Affairs (VA) Veterans Health Administration (VHA) requires an existing, commercial, off-the-shelf, web-based, point of care radiology diagnostic clinical decision support product that will be made available throughout the VHA healthcare system to up to 1,200 individual users. The current product being utilized is: <http://www.statdx.com/>.

**1. DATE PREPARED: 3/30/2017.**

**2. PREPARED BY: Brian K. Jarrell.**

**3. DESCRIPTION OF REQUIREMENT:** The contractor shall provide up to 1,200 individual, authorized users on the VHA network – no matter their physical work location or point of access - with access to a single, online, web-based point of care radiology diagnostic clinical decision support product. Authentication shall be accomplished through a process of individual users sending an email with their name from their VA.gov address to the contractor requesting a username/password.

The contractor shall also allow for authorized user access at all Department of Veterans Affairs current and future physical facilities, including, but not limited to, current and future medical centers, community-based outpatient clinics, DOMs, Vet centers, and all other locations where Department of Veterans Affairs employees work.

The contractor shall assure the requirements listed in the Statement of Work, paragraphs 5, **Information Scope**, 6, **Information Quality**, 7, **Usability**, 8, **Currency**, and 9, **Access, Content, Support**, are addressed.

For diagnostic purposes, the contractor shall provide concise, bulleted information presented in a speed-optimized format that makes finding information fast and easy.

For imaging anatomy, the contractor shall include: Terminology, Imaging, Anatomy Overview, Anatomy Imaging Issues, and clinical implications.

For differential diagnostic purposes, the contractor shall provide: Evidence and experiential based differential diagnoses presented with diagnostic clues which help guide the diagnostic process making complex cases easier.

The contractor shall ensure that tables include **TNM** and staging tables, work-up protocols, alignment angle references and classifications. **T** describes the size of the original (primary) tumor and whether it has invaded nearby tissue, **N** describe nearby (regional) lymph nodes that are involved, and **M** describes distant metastasis (spread of cancer from one part of the body to another).

The contractor shall provide calculators to help calculate everything from a bone age to radiation dosages.

**4. PRODUCT OR SERVICE? Service.**

**5.NAICS/FSC/PSC: 519130/R605.**

**6. REQUESTOR: Tom Waugh.**

**7. PHONE NO: 312-995-0212.**

**8. PLANNED/ACTUAL DATE SUBMITTED: 3/31/2017.**

**9. PLANNED AWARD DATE: 9/22/2017.**

**10. ESTIMATED TOTAL COST: \$1,415,000.00**

**11. ESTIMATED BASE PERIOD COST: \$283,000.00**


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|  |   |   |  |  |   |  |   |
|--|---|---|--|--|---|--|---|
| <b>12. RISKS:</b> The database access being requested is for an existing, commercial-off-the-shelf (COTS), web-based, subscription that has well defined functionality, and has been utilized by the VA for more than 5 years. The contractor is responsible for all access and maintenance issues, and the contract will be firm fixed price (FFP). Therefore, cost, performance/schedule, and technical risks to the Government are considered low.  |   |   |  |  |   |  |   |
| <b>13. OTHER CONSIDERATIONS:</b> Payment for commercial subscriptions is generally made in advance, and market research has revealed that advance payments for the type of subscription sought in this procurement is a common commercial practice. Therefore, one (1) full payment shall be made to the successful offeror, and in accordance with FAR 13.302-5, clause 52.213-2, Invoices, shall be incorporated into the solicitation and subsequent contract for this procurement. Clause 52.232-12, Advance Payments, has been determined to be non-applicable for subscription procurements. |   |   |  |  |   |  |   |
| <b>14. COMPETITIVE?</b><br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>   |   | <b>15. REASON FOR OTHER THAN FULL AND OPEN COMPETITION:</b> The source of supply, Elsevier (STATdx), is the only contractor that provides this particular point of care radiology diagnostic clinical decision support tool. In the past, Elsevier accepted awards made through one of the Library BOA holders (e.g. EBSCO or Cox), however, for this procurement, Elsevier will not accept a pass-through type of award to EBSCO or Cox because Elsevier is requiring a direct contractual relationship with the Government and requires that the Government sign its license agreement.                           |  |  |   |  |   |
| <b>16. POTENTIAL SOURCES:</b> Elsevier.  |   |   |  |  |   |  |   |
| <b>17. DESCRIPTION OF MARKET RESEARCH EFFORTS CONDUCTED OR TO BE CONDUCTED (USE RESULTS FROM <a href="#">ATTACHMENT 3 MARKET RESEARCH REPORT TEMPLATE</a>):</b>  |   |   |  |  |   |  |   |
| <b>18. *SMALL BUSINESS PROGRAMS</b><br><br>*VA must be cognizant of socioeconomic set-aside considerations, including the Veterans First Contracting Program/ <a href="#">38 U.S.C. 8127</a> 's "Rule of Two."<br><br>*See " <a href="#">Attachment 4: Additional Requirements for Bundling</a> " if applicable  |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px; vertical-align: top;"> <input type="checkbox"/> Service-Disabled Veteran-Owned Business Set-aside         </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> <input type="checkbox"/> Veteran-Owned Business Set-aside         </td> </tr> <tr> <td style="padding: 5px; vertical-align: top;"> <input type="checkbox"/> HUBZone Set-Aside         </td> <td style="padding: 5px; vertical-align: top;"> <input type="checkbox"/> Small Business Set-Aside         </td> </tr> </table> |  | <input type="checkbox"/> Service-Disabled Veteran-Owned Business Set-aside | <input type="checkbox"/> Veteran-Owned Business Set-aside | <input type="checkbox"/> HUBZone Set-Aside | <input type="checkbox"/> Small Business Set-Aside |
| <input type="checkbox"/> Service-Disabled Veteran-Owned Business Set-aside   | <input type="checkbox"/> Veteran-Owned Business Set-aside |   |  |  |   |  |   |
| <input type="checkbox"/> HUBZone Set-Aside   | <input type="checkbox"/> Small Business Set-Aside         |   |  |  |   |  |   |
| <b>19. PLANNED CONTRACT TYPE:</b> Firm-fixed price.  |   |   |  |  |   |  |   |
| <b>20a. COMMERCIAL ITEM OR SERVICE?</b><br>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>   |   | <b>20b. If NO, could the requirement be changed to provide for commercial item or service?</b><br>YES <input type="checkbox"/> NO <input type="checkbox"/>  |  |  |   |  |   |
| <b>21. IF SERVICES, ARE INHERENTLY GOVERNMENTAL FUNCTIONS INVOLVED?</b><br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>  |   |   |  |  |   |  |   |

|  |  |
|--|--|
| <b>22a. SUITABLE FOR PERFORMANCE-BASED?</b><br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <input type="checkbox"/>  | <b>22b. If performance-based unacceptable, provide explanation:</b><br>A straightforward subscription purchase is unlikely to provide opportunities for the Government to include performance incentives in the contract.  |
| <b>23a. OPTIONS:</b><br>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>  | <b>23b. If YES, number and type:</b><br>Four one (1) year options to be exercised at the discretion of the Government.   |
| <b>24a. GOVERNMENT PROPERTY TO BE FURNISHED?</b><br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>  | <b>24b. If YES, describe (attach additional sheets, if necessary):</b>   |
| <b>25a. GOVERNMENT INFORMATION TO BE PROVIDED?</b><br>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>  | <b>25b. If YES, describe:</b><br>Authentication (i.e. verification of authorized users) shall be accomplished through a process of individual users sending an email with their name from their VA.gov address to the contractor requesting a username/password. |
| <b>26. ENVIRONMENTAL AND ENERGY CONSERVATION OBJECTIVES:</b> None.   |  |
| <b>27. SECURITY CONSIDERATIONS:</b> None. Per Appendix A, 6500, Security Checklist, the contractor shall have no contact with the VA's computer systems/networks. In addition, there are no privacy concerns.  |  |
| <b>28. EVALUATION FACTORS:</b> Performance capability for Elsevier (STATdx) has already been established based on satisfactory past performance under VA701-14-J-0165. This acquisition can be conducted under FAR parts 12 and 13 because the STATdx subscription is a commercial item and simplified acquisition procedures can be used and price will be determined fair and resonalbe. |  |
| <b>29. MILESTONES</b>  |  |
| <i>MILESTONE</i>   | <i>PLANNED DATE</i>  |
| 1) Completion of acquisition package<br>-Purchase Request (VA Form 2237)<br>-Statement of Need/ Statement of Work/Statement of Objectives<br>-Specifications<br>-Data requirements<br>-Evaluation factors<br>-Quality Assurance Plan   | 04/13/2017   |
| 2) Acquisition plan approvals  | 04/17/2017   |
| 3) Solicitation reviews completed  | 05/10/2017   |
| 4) Issuance of combined synopsis/solicitation  | 05/30/2017   |
| 5) Quotes Due  | 06/13/2017   |
| 6) Evaluation of Quotes  | 06/21/2017   |
| 7) Contract preparation, reviews, and clearances obtained:   | 07/14/2017   |
| 8) Contract Award  | 09/01/2017   |
| <b>SIGNATURES OF APPROVAL IAW - <a href="#">VHAPM Part 807.1</a> Acquisition Planning SOP</b>  |  |

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|  |              |
|--|--------------|
| <p>Contracting Officer Name:<br/><b>Andrea L. Fink</b></p> <p>Signature: <b>198348</b></p> <p> Digitally signed by Andrea L. Fink 198348<br/>DN: dc=gov, dc=va, o=internal, ou=people,<br/>0.9.2342.19200300.100.1.1=andrea.fink@va.gov,<br/>cn=Andrea L. Fink 198348<br/>Date: 2017.05.19 09:39:30 -04'00'</p> | <p>Date:</p> |
|--|--------------|