

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, New Jersey 07724

2. Description of Action: The proposed action is for a firm-fixed-price delivery order to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC) for the purchase of brand name Document Storage Systems Inc. (DSS) Clinical Information System (CIS) DataBridge version 2.0 software licenses and associated software maintenance and installation services.

3. Description of Supplies or Services: The proposed acquisition is to purchase brand name DSS CIS-DataBridge software licenses and associated maintenance for VA, Office of Information and Technology, Information Technology Operations, Veterans Integrated Service Network 9 (VISN 9) facilities, to include the Lexington VA Medical Center, the Louisville VA Medical Center, and the Memphis VA Medical Center. The Veterans Health Administration (VHA) both developed and maintains its own electronic health record system referred to as Veterans Health Information Systems and Technology Architecture (VistA). VistA is primarily a government-proprietary system. Since VistA's development, the medical information system market has rapidly moved toward automating data fusion and analytics with respect to patient care. VA requires a standard interface where major medical system vendors can easily exchange data with VistA. DSS CIS-DataBridge is VA's standard interface for all CIS vendors. DSS CIS-DataBridge is proprietary software designed specifically to support interoperability with VistA. The DSS CIS-DataBridge software that is required integrates information from VistA to a commercial intensive care unit and anesthesia record keeping system. The DSS CIS-DataBridge software will permit VistA to transfer data to VISN 9's critical care data information system, the Clinicomp Essentris EHR v.213, which is part of the critical care medical systems for the VISN. This technology also exports patient and milestone data into VistA for easy viewing, making it possible to achieve interoperability between VistA and external health information technology systems while improving treatment efficiency, accuracy, and reporting. It enables clinicians to create, capture, and access critical care data in a single representation and enables clinicians to document procedures and assessments in the same system where automated data is collected and displayed. Delivery of DSS CIS-DataBridge software licenses shall occur no later than 30 days after award. VA also requires four 12-month option periods for annual software maintenance and technical support renewals, if exercised. [REDACTED]

4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by Federal Acquisition Regulation (FAR) 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 was determined that limited competition is available among authorized resellers of brand name DSS CIS-DataBridge software. DSS CIS-DataBridge software is proprietary software designed specifically to support interoperability with VistA and various modules deployed throughout VHA. DSS CIS-DataBridge is certified by VA to operate as the standard interface for all CIS vendors. DSS CIS-DataBridge software is the only interface that can provide the necessary interoperability and compatibility between modules in VistA and provide a data bridge from VistA to Clinicomp Essentris EHR v.213. Specifically, DSS CIS-DataBridge is the only software that has the functionality of transferring vital sign and allergy messages, lab and radiology messages, surgery schedule information unsolicited messages, and unsolicited observation messages within VistA. To introduce new software to act as an interface for CIS vendors would require a complete replacement of software across VistA. It is estimated that this replacement would result in duplicated costs of \$73,000.00 and take 90 days or more to test and implement. Furthermore, the addition of software other than DSS CIS-DataBridge would significantly raise the complexity and cost of maintaining the VistA baseline for interoperability. Failure to procure brand name DSS CIS-DataBridge software would negatively impact Veteran care.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. This effort did not yield any other products that can meet the Government’s requirements. It was determined, however, that limited competition is viable among authorized resellers for the required software. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action and the justification will be made publicly available on the Federal Business Opportunities Page within 14 days after award. In addition, this justification will be posted with the Request for Quotation to notify all SEWP vendors.

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 fully competed.

8. Market Research: In February 2017, Government technical experts reviewed solutions offered by similar software products to ascertain if these items could meet VA’s requirements. Specifically, the Government’s technical experts conducted web-based research for similar software from Infinity Gateway Suite (Draeger) and Ascend-IP (Hann’s On Software). It was determined that the alternative solutions reviewed would not provide the necessary interoperability and compatibility with VistA for the reasons explained above. As a result of the market research, the technical experts conclusively determined that only DSS or DSS authorized resellers can meet VA’s current software requirement. In March 2017, additional market research was conducted by releasing a Request for Information (RFI) to the NASA SEWP V GWAC. The RFI identified numerous service-disabled Veteran-owned small business (SDVOSB) DSS resellers. The requirement discussed herein has been found to be

within scope of the NASA SEWP V GWAC in a separate determination. As a result of the aforementioned market research, VA intends to issue Request for Quotation number VA118-17-Q-2393 on the NASA SEWP V GWAC.

9. Other Facts: None.