

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION FAR 6.303-2**

1. Contracting Activity: Department of Veterans Affairs  
Strategic Acquisition Center  
10300 Spotsylvania Avenue Suite 400  
Fredericksburg, VA 22408

2. Description of Action: The proposed firm-fixed priced (“FFP”) sole source action will be a follow-on contract with an anticipated twelve (12) month base period for internet legal research data subscription services to the VA Office of General Counsel (“OGC”) and a professional government contracts conference “Government Contracts Year-In-Review” to be held on February 2018. The incumbent is Thomson-Reuters d/b/a as Westlaw®, 1333 H Street NW, Washington, DC 20005.

3. Description of Supplies or Services: Renewal of OGC subscription services from Westlaw®, which is a collection of unique legal databases and database services required by the OGC and a uniquely sponsored government contracts conference likewise conducted by Westlaw® to be held in Washington, DC.

4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C.3304(a)(1), *et seq.* as amended, as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1 entitled, “Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.”

5. Rationale Supporting Use of Authority Cited Above: Thomson-Reuters Westlaw® has no peer equivalent but does have one competitor for comparable yet also unique legal database services known as Lexis-Nexis®. However, Westlaw® is unique relative to its extensive database selections, search functions and presentation of legal image pages to include the Nash & Cibinic Report®, The Government Contractor®, and The Government Contractor Plus® which the OGC requires and no other source provides. Moreover, publications that are exclusive to Westlaw® include: West Am Jur 2nd, Corpus Juris Secundum, Sutherland Statutes and Statutory Construction, and McCarthy on Trademark all of which are proprietary.

6. Efforts to Obtain Competition: The publications are proprietary to Westlaw® and have no peer equivalents to the uniquely held content, retrieval and/or presentation features.

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.

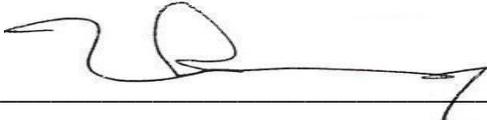
8. Market Research: Exhaustive research was conducted on FedBizOps (“FBO”), and other internet searches and it appears that the only competitor, Lexis-Nexis®, fails to offer the services and conferences required by the OGC. Moreover, all governmental purchases of WestLaw® are by sole source purchases because there is no peer equivalent or available services which meet the current VA need.

West Law Subscription and Conference

9. Other Facts: None

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.

Name: Michael L. Ramsey  
National Training Officer  
Office of General Counsel  
Department of Veterans Affairs

Signature:  \_\_\_\_\_

**APPROVAL**

11. Fair and Reasonable Cost Determination: In accordance with FAR Subparts 12.209, 13.106-3, and 15.4, it is hereby determined that the anticipated cost or price to the Government for this contract action will be fair and reasonable. The Price Reasonableness Memorandum detailing the Fair and Reasonable Price Determination will be included in the contract file documentation. I further certify that this justification is accurate and complete, and comports with all applicable regulations to the best of my knowledge and belief.

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

Procuring Contracting Officer  
Zachary Wilcox