

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

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: The proposed action is for a firm-fixed-price sole source contract for software and database corrective maintenance services for the Safety Automated Facility Evaluation (SAFE) software application with Mobile WorkFlow, LLC (Mobile WorkFlow), 714 Spirit 40 Park Drive Suite 150, Chesterfield, Missouri 63005-1148
3. Description of Supplies or Services: The VA, Veterans Health Administration, Center for Engineering Occupational Safety and Health (CEOSH) requires software and database corrective maintenance services for the SAFE software application that automates the process to comply with the Occupational Safety and Health Administration (OSHA) mandated, annual occupational safety and health (OSH) annual workplace evaluations (AWE) at approximately 600 VHA facilities, including medical centers, outpatient clinics, and domiciliaries; 120 VA National Cemeteries, and 65 Veterans Benefits Administration (VBA) locations. The SAFE software application generates network-wide auditing email communications and workflow documents to manage and ensure that appropriate abatement actions are taken for the identified occupational safety and health audit findings. The software application generates critical safety and health findings and abatement status reports used at the facility-level, VISN -level, and Central Office-level for compliance tracking, metric development, and directing national OSH programmatic decisions. The period of performance shall be one 12-month base period followed by two 12-month option periods.
4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C. 3304(a)(1) 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: Mobile WorkFlow confirmed via e-mail on October 24, 2017 that it is the only vendor capable of completing the corrective actions and does not train, certify, or support independent third party service providers to service the SAFE application located at any of the sites listed in paragraph 3. Additionally, no other service provider is authorized to possess Mobile WorkFlow proprietary software, repair documentation, processes, or materials. Without proper maintenance of the SAFE systems, including reviewing and resolving issues involving SAFE compatibility with VA-approved web browsers, and resolving open software application field trouble-call issues with VHA-CEOSH, VHA would be unable to continue

to meet the inspection requirements outlined in OSHA 29 Code of Federal Regulations 1960 and VA Directive 7701.

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 additional sources that can meet the Government's requirements. There is no competition anticipated for this acquisition. Any proposals that are received shall be evaluated.

7. Actions to Increase Competition: In order to overcome barriers to competition in future acquisitions for this requirement the VHA is actively pursuing alternatives to replace SAFE as part of a VHA-enterprise wide effort to modernize the legacy Occupational Safety and Health and Environmental data management systems. A Request for Proposals for the replacement to SAFE that supports the VA Secretary's priority for technology modernization is anticipated to be fully implemented by for FY20.

8. Market Research: Government technical experts conducted market research in June of 2017 via a Request For Information (VA25516N0345) posted to FBO. The results showed although other vendors, such as BFS Group, INC., Digital Health Department, INC., and Speridian Technologies, LLC. possessed similar software maintenance capabilities, only Mobile WorkFlow had access to the proprietary code, data and technical information to perform the required software and database corrective maintenance services for the SAFE software application. Based on this market research, the Government's technical experts have determined that Mobile WorkFlow is the only source that can meet the Government's requirements.

9. Other Facts: None