

JUSTIFICATION  
FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs  
Office of Acquisition and Logistics  
Technology Acquisition Center  
23 Christopher Way  
Eatontown, NJ 07724
2. Description of Action: This proposed action is for a firm-fixed-price (FFP) sole source contract with Expert-24 Inc., 3005 Center Green Dr., Suite 215, Boulder, Colorado for brand name Expert-24 technical support.
3. Description of Supplies or Services: VA, Office of Information and Technology, has a requirement for brand name Expert-24 Inc. software product technical support for the Health Living Assessment (HLA). The HLA is a questionnaire based assessment covering a Veteran's health choices that calculates a 'Health Age', disease risk, and recommends healthy life changes. The engine that runs HLA is built on commercial, proprietary software code developed by Expert-24 that uses advanced mathematical algorithms, providing a robust clinical solution to track health choices. Expert-24 has incorporated a virtual toolkit that includes Asset Builder, Logic Builder, Expert Tester, and Run-Time Environment. These tools are utilized in order to update assessment questions, logic and calculations, and scoring algorithms that are linked to the HLA platform. HLA has been deployed into production and is currently being used by over three million Veterans. The technical support services requires access to the technical expertise of Expert-24 to assist with upgrades to software and database schema syncing databases for the daily sustainment of the HLA platform. The contractor shall provide telephone support 24 hours a day, 7 days a week for resolution of severity 1 production problems related to the Expert-24 products. Severity 1 problems are cases where the HLA product is unavailable and no one is able to access or use the product. The Contractor shall provide Tier III level support in the event that the VA experiences a production issue with the HLA product that is directly related to the Expert-24 products. The period of performance for this effort will be 12 months from the date of award, with two 12-month option period(s). The total estimated price of the proposed action, including all options is [REDACTED]
4. Statutory Authority: The statutory authority permitting other than full and open competition is Section 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: The Expert Builder Toolkit developed by Expert-24 includes three tools, WebBuilder, VirtualExpert, AssetBuilder, which run the HLA engine. These tools are linked to databases and schemas that are updated on the clinical aspects as medical updates become available and these updates go directly into the HLA platform. The technical support services for the existing

updates go directly into the HLA platform. The technical support services for the existing product tools are required to ensure that the HLA platform remains operational as updates are completed. Any other source other than Expert-24 Inc. would require access to the proprietary software source code as well as expert knowledge of these tools in order to provide the aforementioned technical support. Without the expert knowledge of these tools and support needed to troubleshoot any errors found, the My Healthe Vet (MHV) development staff will not be able to ensure the 4 million Veterans currently using the HLA platform have accurate and 24/7 availability to their assessments. Without these technical support services, specifically the Tier III level support, VA would be unable to escalate modifications, enhancements, or repairs to the HLA to maintain its operation availability.

6. Efforts to Obtain Competition: The Government's technical experts conducted market research, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's performance requirements. There is no competition anticipated for this acquisition. In accordance with FAR 5.201, this action will be synopsisized on the Federal Business Opportunities page.

7. Actions to Increase Competition: In order to remove barriers to competition in future acquisitions for the required technical support services described herein, the agency will work with the program office to perform additional market research so that other solutions can be considered. 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: In July 2017, VA technical representatives conducted market researched by contacting Expert-24 and doing Google searches to determine if comparable products were available and could meet VA's requirements. VA technical experts reviewed companies that offer web based user tools in the marketplace that offer a variety of health assessment, support service tools, and medical services such as appointment scheduling, secure messaging and referral service, but there are no other companies that can provide solutions that allow the VA to update its various proprietary variables that exist within the Expert-24 product. Companies such as Practice Fusion, Greenway Health, Epic and RelayHealth offer some features, but use different technologies not compatible with the existing platform. Additionally, Expert-24 Inc. confirmed that no other company can provide the required technical support for the existing HLA platform tools which requires access to Expert-24 Inc.'s proprietary software source code. The Contract Specialist contacted Expert-24 Inc. in November 2017 and confirmed Expert-24 Inc. is not willing to sell the proprietary software source code for the Government to maintain the existing HLA platform tools. Based on the above, VA technical experts have determined that only Expert-24 Inc. can meet the Government's requirements to provide the technical support services for the existing HLA platform.

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.

[Redacted]

MHV Program Manager

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

Signature: [Redacted]

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on the Independent Government Cost Estimate and price analysis.

[Redacted]

Procuring Contracting Officer

Date: 12/7/2017

Signature: [Redacted]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$700,000 the certification below required by FAR 6.303-2(b)(12) serves as approval.

[Redacted]

Procuring Contracting Officer

Date: 12/7/2017

Signature: [Redacted]