

LIMITED SOURCES JUSTIFICATION

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Procurement, Acquisition, and Logistics
Technology Acquisition Center
23 Christopher Way
Eatontown, NJ 07724

2. Description of Action: The proposed sole source action is for a firm-fixed price (FFP) task order with to upgrade all 320 servers within various VA medical centers and technical services to transfer the currently installed proprietary VetLink software onto the new servers. This effort is being conducted under the authority of the Multiple Award Schedule Program; the proposed effort will be awarded under the General Services Administration (GSA) Federal Supply Schedule (FSS) GS-35F-0363L to Vecna Technologies Incorporated (henceforth referred to as Vecna) 6404 Ivy Lane, Suite 500, Greenbelt, Maryland 20770.

3. Description of Supplies or Services: The Office of Veterans Access to Care requires 320 upgraded servers with VetLink functionality software transferred onto the servers. This proposed action will not renew or procure any new software; this effort will retain the software currently used and transfer it to new servers. The transfer of the VetLink software will allow the server replacements to be properly configured to run the VetLink software. Additionally, the transfer of the VetLink software will provide additional processing capabilities to support any minor VetLink software changes. Without the transfer of the VetLink software to the upgraded servers, Veterans Point of Service (VPS) could not sustain the operations of the program as the utilization and usage of the program has increased. VPS requires fully installed and configured servers at each medical center. To provide fully installed and configured servers, the Contractor shall perform the following services: server backup and restoration, deployment of scripts for restoring databases and deployment of scripts for restoring application settings, database migration, as well as documenting all installation and configuration procedures of the VetLink software onto the server operating system. Additionally, the Contractor shall provide database configuration, migration, and partitioning of drives specific to VetLink system software requirements to interface with kiosks and the Veterans Information Systems and Technology Architecture (VistA). The Contractor shall implement security parameters and backup routines, deployment of the software application, conduct DevOps engineering validation testing, perform equipment packaging, shipment of servers to each site, establish remote connection, and perform remote validation in prep for go-live. The fully configured servers with VetLink functionality software shall be deployed to 160 VA Medical Centers (VAMC). Each VAMC currently has two VPS servers installed and operational (2 U in a rack). One server is setup as the production VPS server and second one is setup as a test/backup VPS server.

Due to proprietary reasons outlined in Section 5 of this Justification, only Vecna, the Original Equipment Manufacturer (OEM), of the VetLink software can perform the

transfer of the software and provide a suitable server capable of properly running its proprietary software. The period of performance shall be no more than a 6-month base period and one, 6-month option period.

4. Statutory Authority: This acquisition is conducted under the authority of the Multiple-Award Schedule Program. The specific authority providing for a limited source award is Federal Acquisition Regulation (FAR) Part 8.405-6(a)(1)(i)(B), "Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized."

5. Rationale Supporting Use of Authority Cited Above: The proposed source for this action is Vecna, 6404 Ivy Lane, Suite 500, Greenbelt, Maryland 20770. Based on market research, as described in paragraph 8 of this justification, it was determined that there are no other sources available for providing a suitable upgraded server with VetLink software application installed. The software application currently installed on the servers throughout VA medical centers is vKiosk, also known as VetLink, which is proprietary to Vecna. This software will be retained throughout VA. VA's decision to retain the VetLink software was predicated on the VA Secretary announcing its major change in direction by going down a path of Electronic Health Record (EHR) Modernization. EHR Modernization is a joint initiative between VA and the Department of Defense (DoD). The Government currently understands that this change in direction is a long term architecture solution with implementation anywhere from six to ten years. Based on this projection and the reliance of the underlying architecture which provides VPS with its data sourcing, it was determined that it would be in the Government's best interest to retain the existing Vecna, VetLink software. It was determined that investing in newly developed software with technical EHR variables not yet known would not meet VA's short and long term requirements. Failure to transfer the existing software to the new servers will result in extensive delivery delays to redesign the existing platform and to procure new software resulting in extensive duplicated cost that would not be recovered through competition. The currently fielded software meets VA needs and will not be replaced under this action.

The VPS program is currently operating with VetLink software within the platform, which has a patient-facing User Interface (UI) and a Veterans Health Administration staff-facing interface that empowers Veteran patients, Caregivers, and VA medical facilities/community based outpatient clinics to efficiently and easily transact and perform a variety of administrative, financial, and clinical tasks related to delivery of healthcare services and benefits management in VA and non-VA care environments. The VetLink application software is a suite of tools with multiple components, which run proprietary databases in the background. The VetLink database includes configurations for kiosks, kiosk groups, displays, display groups, digital signs, printers, printjobs, on-screen message keys, theme management, templates, staff user database, patient database, forms, as well as historical data for devices, patients, and staff. In order to transfer the existing VetLink proprietary databases from the old servers to a new upgraded server, access to the proprietary VetLink

code is required, as the scripts and tools developed to perform backup/restore activities within VetLink databases were built by and presently owned by Vecna. When the software is transferred, the databases on the backend must be migrated as well. Only Vecna has access to the database proprietary code. As a result, neither VA nor any vendor, other than Vecna, has the capability to access the VetLink database schema for the transfer. If the database schemas are not properly migrated, kiosks would cease to function. As a result, only Vecna can perform the transfer of the proprietary software code to a suitable upgraded server.

Based on the proprietary nature of the VetLink software described above, VA neither possesses the rights to the VetLink software codes, nor does VA have the software licensing or data rights to the VPS system including hardware and software. As a result, VA cannot provide a suitable server or any software as Government Furnished Property. The current servers have reached end of life and at some locations users are experiencing latency issues, thereby, upgrading, and replacing the current servers with a suitable upgraded server is overdue.

In addition, only Vecna can provide a new upgraded server that can operate with the VetLink software that is being transferred. Since neither VA nor any other vendor has proprietary access rights, a VA or independent analysis cannot be conducted to determine the requirements of a new server upgrade. Without an analysis, VA cannot define the server specifications such as storage, operating system, network cards, redundant array disks, memory, hard drives, and overall chassis configuration that would be required to eliminate the latency and degradation issues currently arising. The current servers are no longer able to sustain the operations of the program as the utilization and usage of the program increases. The current VetLink system kiosks utilized by patients and staff has outgrown initial projections, combined with age of servers, the current servers are degrading system performance. The current servers were designed to support initial VetLink software usage, which provides the functionality on the kiosk systems hardware and software in place nationwide at every VA medical center. Based on the proprietary nature of the VetLink software, only Vecna can analyze the code and determine suitable server specifications to house the VetLink software and keep it operational without degradation. Without suitable upgraded servers with fully transferred VetLink software, the risk for kiosk system outages and patient data loss remains high. For example, in the event that a production server experiences a Hard Drive Disk failure, nightly database scripts, and cleanup activities would not be executed properly. As a result, those data actions would not be performed resulting in data corruption and could cause overwriting of data (data loss) to occur. Any corruption or loss of data translates to Veteran patients losing the ability to perform the variety of clinical and business transactions related to their healthcare through the kiosks, a point of service capability, during VA medical center visits.

6. Efforts to Obtain Competition: Market research was conducted, 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 requirements for a suitable

server with currently installed proprietary VetLink functionality software on the servers. There is no competition anticipated for this acquisition. In accordance with FAR 5.301 and 8.405-6(a)(2) the award notice for this action will be synopsisized on the Federal Business Opportunities website and this justification will be made publicly available within 14 days of award.

7. Actions to Increase Competition: VHA is in the process of redefining its VPS program kiosk solution based on the new EHR initiative. Anticipated in FY2018, the program is envisioning the VPS kiosk system solution throughout the VA medical centers to be refreshed. Although VPS anticipates the kiosk system solution refresh to be competed, the system solution refresh will only encompass a hardware refresh and will clearly articulate that the VPS kiosk software solution remains the VetLink software. Any future kiosk software solution refresh can only be determined with the successful deployment of the EHR solution since it has dependencies on the technical architecture of that solution.

8. Market Research: VA technical experts conducted market research to ascertain if any other vendor would be able to provide the aforementioned servers and services. On April 17, 2018, market research was conducted by posting a Request for Information (RFI) to vendors on the FBO page to ascertain if any GSA FSS holders or any other sources could meet these requirements. The RFI closed on April 25, 2018. The following five responses to the RFI were received: AGSI Systems, ThunderCat Technology, H2IT Solutions, Arete Solutions, and MinuteMan Technology. Of these five responses, AGSI Systems and Thundercat Technologies are GSA FSS holders. Overall, AGSI Systems, ThunderCat Technology, H2IT Solutions, and Arete Solutions did not demonstrate the capability to transfer the proprietary VetLink software on to the servers such as a strategy for partnering with Vecna to access the VetLink software or other teaming arrangements. Additionally, none of the aforementioned vendors provided an assessment of capabilities to perform requirements in the draft Performance Work Statement, as requested in the RFI, nor provide an assessment of the types of changes required to accomplish the tasks. In addition, the response from MinuteMan Technology indicated that it could not complete the tasks without access to Vecna's proprietary code. In order to close the loop with these respondents, the Contract Specialist, on May 30, 2018, posted on FBO that due to the proprietary nature of the software, the Government's acquisition strategy has been verified to be sole source to Vecna, the OEM of the software. No objections have been received. Based on this market research it was determined that only Vecna could meet VA's requirements.

In addition, further market research was conducted on May 21, 2018, by contacting Vecna in order to ascertain if it would sell its VetLink software product, including source code, and proprietary database schema, which would be necessary to transfer the software and databases to the new servers. Vecna provided an offered purchased price of \$40 million. The technical experts were provided the information and based on current budget projections for VPS, this cost is prohibitive. As previously described, VPS will not be undertaking any major investments in its kiosk

software under the VA's current electronic health record initiative. Additionally, during this exchange, Vecna confirmed that the risk of granting access to the proprietary code is not viable, which was only contemplated to satisfy potential VA acquisition strategies.

9. Other Facts: None