

[REDACTED]

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Procurement, Acquisition, and Logistics  
Technology Acquisition Center (TAC)  
23 Christopher Way  
Eatontown, NJ 07724
  
  2. Description of Action: The proposed action is a modification to Firm-Fixed Price Contract Number VA118-16-C-1203 with Liberty IT Solutions, LLC (herein referred to as Liberty). The proposed modification is required to extend the contract period of performance again as the intended separate, procurement award has been paused. The purpose of this modification is to award a subsequent four (4) month base period with an option to extend for four (4) months for Program Management and Control (PM&C) services and tools. The current contract supports VA, Veterans Health Administration (VHA), Office of Veterans Access to Care, Veterans Point of Service (VPS) program which provides technologies and process improvements for clinical and administrative services.
  
  3. Description of Supplies or Services: The current PM&C services and tools provided by Liberty are required for monitoring and improving the current Vecna Technologies (henceforth referred to as Vecna) brand name VetLink kiosk system performance across VA Healthcare system. Under the current contract, Liberty provides PM&C services for the VPS program after the initial deployment of a VetLink kiosk system in a VA Medical Center (VAMC). A typical VetLink deployment modifies workflows of hundreds of VA employees and Veteran patients. The PM&C services and tools performed by Liberty provide the required support for engaging with VAMC sites after activation and provide subject matter experts to assist site leads to develop their expertise for managing kiosk performance. The PM&C requirements include site visits and training, configuration support, data performance reporting (which includes extracting data, converting data, and creating reports), supporting software updates and releases as well as thermal paper that provides printing capabilities. To meet these requirements, Liberty was required to develop a performance tool such as a dashboard. The performance tool is required to provide the capability to collect performance data, perform analysis, and generate monthly and weekly reports. Liberty provides these reports for all sites as part of its support of the VPS Project Manager and other VA stakeholders. Liberty is required to also provide kiosk usage training at VAMC sites. In addition, Liberty provides software functionality configuration support for two anticipated releases per year, as well as for scheduled patches, and supplies the thermal paper for printing capabilities. The current contract with Liberty will expire on November 5, 2018. The requirements of the proposed modification are to extend the period of performance with a four (4) month base period to February 21, 2019 for continuity of PM&C services without interruption with one (1), four (4) month option. [REDACTED]
- [REDACTED]

4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C. 3304 (a)(3) 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 proposed source for this action is Liberty IT Solutions, LLC, 2303 Dulles Station Blvd, Ste 210, Herndon, VA, 20171. The VHA VPS program was in the process of awarding a competitive procurement for PM&C requirements, however, there were unanticipated delays in awarding the competitive contract.

The recomplete effort was initially assigned to the TAC in January 2018 to be solicited and awarded under the Transformation Twenty-One Total Technology – Next Generation (T4NG) Indefinite Delivery Indefinite Quantity contract vehicle. A Request For Information (RFI) was issued on February 9, 2018 to all T4NG contract holders. The RFI included a draft Performance Work Statement (PWS), indicating that set-aside decisions may be made based on the information provided in response to the RFI. Two responses were received in response to the T4NG RFI – one large business (Booz Allen Hamilton) and one Service-Disabled Veteran-Owned Small Business (SDVOSB) (Liberty). While the T4NG RFI capability statements were being reviewed, on February 12, 2018 Minuteman Technology Services (a SDVOSB, non-T4NG contractor) emailed the Contracting Officer (CO) and Contract Specialist (CS) expressing interest in competing as a prime contractor on the effort. Minuteman submitted a capability statement to the CO and CS on February 16, 2018. All three RFI responses were reviewed by the Government and deemed capable of meeting the requirements identified in the draft PWS. Based on the analysis, it was reasonable to expect a SDVOSB would be capable of submitting a responsive bid to a solicitation. Based on the results, the acquisition office made a determination that the scope of services was better suited for competition beyond T4NG; thereby changing the initial acquisition strategy to be completed as a SDVOSB set-aside in the open market utilizing the Federal Business Opportunities (FBO) page.

On May 10, 2018, the CS posted a presolicitation notice on FBO identifying the requirement as a total SDVOSB set-aside. On May 14, 2018 Liberty contacted the CO via email indicating that it will not be permitted to submit a proposal for the subject procurement as it has graduated out of the size standard for North American Industry Classification System code 541512, Other Computer Related Services. Since Liberty was one of the two SDVOSB companies found capable of submitting a responsive bid that led to the set-aside determination, the CO revisited the acquisition strategy. The CO noted that the release of the presolicitation notice had prompted other verified SDVOSBs to express interest in this requirement via email and telephone contact. Therefore, the set aside strategy remained; and on May 29, 2018 a Request for Proposal (RFP) was posted on the FBO website as an SDVOSB set aside. Four responses were received on June 6, 2018, however, none of the Offerors submitted proposals in accordance with the proposal instructions. The RFP



was extended and proposals were resubmitted on June 19, 2018. Three vendors responded timely, but upon reviewing their proposals, the technical evaluations, and RFP, it was discovered that the PWS did not accurately reflect the requirements of the VA. The PWS did not specify that in order to meet the reporting requirements that a vendor would need a partnership with Vecna due to the proprietary nature of the database schema. The VetLink application software is a suite of tools with multiple components, which run proprietary databases in the background. The VetLink databases include a staff user database, a patient database, forms, as well as historical data for devices, patients, and staff. To access the Government data on the databases, a vendor would need to access the proprietary Vecna database schema. Thus, VA needs time to better define its requirements, which is anticipated to take at least four (4) months. Based on responses from the RFI, detailed in Paragraph 8, VA determined that no source can meet the VA's need without Vecna and for access to Vecna's proprietary data. Therefore, in order to avoid a lapse in support, the Government requires an additional four (4) month base period for continued support to allow for the analysis and outcomes of the re-evaluation of the requirements to be vetted, finalized, and approved. An additional four (4) month option is required to minimize any risk associated with any further delays that may be realized.

As discussed above, the PM&C requirements outlined in Section 3 of this justification were anticipated to be awarded as part of the new competitive acquisition. In order to provide continuity of PM&C services until the follow-on action is re-evaluated and awarded, which is anticipated to occur in the February 2019 timeframe, the VPS program requires the extension of the current contract period of performance. Only Liberty, who has an existing teaming arrangement with Vecna, can seamlessly provide the aforementioned PM&C services without any disruptions. No source, other than Liberty, can provide the continued PM&C services as any other source would require a minimum of six months transition. Specifically, any other source would have to provide a new business intelligence tool that would develop another dashboard to provide the unique VetLink Kiosk system performance data to all 160 geographically dispersed VAMC sites. This six-month transitioning effort is based on previous efforts to develop the dashboard. Additionally, Liberty has an existing teaming arrangement with Vecna, which is the proprietary software vendor. Having an existing working relationship with the proprietary software vendor substantially reduces transition timeframes.

Any other source would also require a robust effort of onboarding, recruitment, knowledge transfer, training, background investigations and creating standard operating procedures and training plan materials. VHA anticipates that this robust effort would take a minimum of 120 days.

Failure to provide the PM&C services to the 160 VAMC sites would cause serious harm to VHA and the Veteran. PM&C services provide the tools and services to monitor and improve VetLink Kiosk system performance across the VA Healthcare system. Configuration, training, hardware placement, local workflows/policies, and



experience levels of the administrators and end users can all contribute to performance below expected levels. The existing VetLink kiosk system in each VAMC provides a more efficient and effective way for Veterans to sign in for their appointments, provides real time wait times, ability to retrieve, review and update insurance information (if required), and accessibility to their medical information. Additionally, the PM&C services shorten the time it takes medical staff to track patients and provide expedited services. The loss in the ability to provide the PM&C services would reduce the quality of VetLink services to Veterans as it relates to access to patient care. Due to the complex nature of this requirement and the associated learning curve that will be needed by a new contractor, this bridge contract will allow for the program office to better define the requirement allowing for a more competitive requirement.

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 within the timeline required. There is no competition anticipated for this acquisition. Additionally, the proposed action will be synopsised on the Federal Business Opportunities Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated.

7. Actions to Increase Competition: VHA is in the process of redefining its PM&C requirements. The VA anticipates, moving forward, VA will either solicit competitively with vendors partnering with Vecna or award a sole source to Vecna. Based on this understanding, VHA anticipates needing until the February 2019 timeframe. An extension of the current contract through February 2019 is being requested to ensure seamless support is provided. If a contract is in place and transition is complete prior to exercising the option period, VA will not exercise it.

8. Market Research: A Request for Information (RFI) was posted on the Federal Business Opportunities (FBO) website on October 18, 2018. The purpose of the RFI was to ascertain if sources could bridge the gap in service between the existing contract, which ends on November 5, 2018 and when the anticipated follow-on contract will be awarded, without interruption in services. Two responses were received - one from Liberty and one from Minuteman Technology Solutions (MTS). Liberty's response clearly showed its ability to meet VA's need. MTS, however, was under the misunderstanding that they were providing a response to a previous solicitation for PM&C support, and therefore withdrew its response to this RFI. Therefore, the Government's technical experts reviewed Liberty's response only and determined that Liberty was capable of meeting the Government's requirements. Based on the results of the market research, the Government's intent to solicit as a sole source to Liberty was verified.

9. Other Facts: Due to the complex nature of this requirement and the associated learning curve that will be needed by a new contractor, this bridge contract will allow for the creation of a more comprehensive PWS that gives a better definition of the





PM&C requirements. The responses to the RFP shown that the market place did not understand the in-depth nature of this requirement

