

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval Under Simplified Acquisition Procedures (SAP) For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

1. **Contracting Activity:**

Department of Veterans Affairs, NCO 20 Acquisition, Vancouver, WA

2. **Nature and/or Description of the Action Being Processed:**

This procurement is for a purchase order for Proquis software which is needed for VISN 18 facilities: Amarillo, Tucson, Prescott, Albuquerque and Phoenix for FY 13. This procurement is a renewal, and therefore not a new procurement. Where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still requires a justification using the format of FAR 6.303-2.

3. **Description of Supplies or Services Required to Meet the Agency's Needs:**

Annual renewal of Proquis software for V18 facilities. Purchase Requisition Number: 644-13-1-7791-0012 and the estimated total for this order is \$31,686.00.

4. **Statutory Authority Permitting Restriction in Competition:**

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is 41 U.S.C 253 (c), as implemented by FAR 13.106-1(b)(1). The reason for restricting competition is due to the exclusive licensing agreements that Proquis holds for manufacturing and selling the needed software.

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

Renewal of Proquis software license and support is necessary for the credentialing within the V18 facilities and Proquis, INC is the only vendor that can sell this software.

6. **Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:**

Under normal circumstances this acquisition would fall under usual requirements for open-market competition and be open to bidding by any and all eligible contractors. However, do to the restriction in competition because Proquis, INC is the only manufacture and sole distributor of this software.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:

FY 2012 procurement of this needed software was completed under purchase order 644S26013, for \$20,835.00, the estimation of this renewal is within the same cost as FY 13 however the cost is increased because this procurement is adding Albuquerque and Amarillo. V18 has concluded this is reasonable for the purchase of the renewal.

8. Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):

Pursuant to FAR Part 10 market research was conducted as a survey of vendors offering similar items on the internet, there were no vendors aside from Proquis, INC that can offer this software. A change in the credentialing software provider would result in a duplication of costs that would not be recovered through additional competition,

9. Any Other Facts Supporting the Restriction of Competition:

Prior year attempt to compete this procurement was conducted on the SEWP Vendor Portal, FSS Schedules and the open market. There was interest by two vendors, neither vendor could provide the requested items, therefore it was determined that the software was only available from Proquis, INC.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:

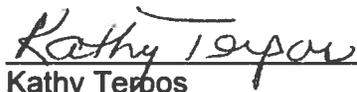
No other parties expressed interest in this acquisition.

11. Statement of Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making Subsequent Acquisitions for the Supplies or Services Required:

No other facts to report

12. Requirements Certification - IAW FAR 6.303-2(c):

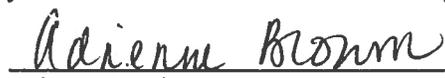
I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Kathy Terpos
Program Manager

9/20/12
Date

13. Approvals IAW VHA SOP 3.22.11:

- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Adrienne Blohm
Contract Specialist
NCO 20 Specialty Acquisitions Team

9/20/2012
Date

- b. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.



Jonathan Jewell
NCO 20 Specialty Team Manager

9/20/2012

Date