

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 action is for a firm-fixed-price order to be issued under the General Services Administration (GSA) Federal Supply Schedule (FSS) 70 for AINS, Inc. (AINS) brand eCase subscription licenses, associated sustainment services, and Full Operational Capacity (FOC) implementation.

3. Description of Supplies or Services: VA, Human Resources (HR) and Administration (HRA) and Office of Information Technology, require renewal of 50,000 eCase subscription licenses and associated sustainment services to include project management, business analysis support, configuration support, continued data migration, testing, operations and maintenance (O&M), hosting, training, and transition support. Additionally, HRA requires implantation of FOC which shall provide full functional capability of the eCase solution. On June 23, 2017 Public Law 115-41, Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017, Section 211, Measurement of Department of Veterans Affairs Disciplinary Process Outcomes and Effectiveness was approved which requires the Secretary of VA to measure and collect information on the outcomes of disciplinary actions carried out by the VA. To be in compliance with this Public Law, VA required an Employee Relations and Labor Relations (ER/LR) Case Management System that standardized specialized ER/LR data collection and business rules across VA to accurately report and support metrics-driven decision-making. In response to this Public Law HRA along with VA Program Contracting Activity Central awarded GSA FSS 70 order 36C77618F0089 to Tangence, Inc. on September 30, 2018. The order was competed as an unrestricted solution, small business set-aside, and received only one response from Tangence, Inc. proposing the eCase solution. The current order is scheduled to reach Initial Operating Capability (IOC) by the end of its contract year, September 29, 2019, which provides partial operating capability of the solution. The Government Accountability Officer (GAO) Report 18-137, Actions Needed to Address Employee Misconduct Process and Ensure Accountability, Response 9 has committed VA compliance with Public Law 115-41 § 211 reporting by October 2019.

The eCase solution provides an ER/LR Case Management System which allows for the tracking of employee conduct issue cases. These include, but are not limited to, disciplinary actions; employee Performance Improvement Plans; grievances; informal requests from Freedom of Information Action, Equal Employment Opportunity, Merit Systems Protection Board (MSPB), and Congressional Inquiry; reasonable accommodation requests; Family Medical Leave Act; and terminations and miscellaneous leave issues such as leave abuse and absent without leave. The eCase solution allows VA managers to submit cases through user-friendly web interfaces, support standard and ad hoc workflows that facilitate the routing of assignments across

and within VA facilities, and provide a method to generate performance metrics that analyze the length of time it took to complete each step of the workflow. The contractor shall renew existing eCase subscription licenses and provide associated sustainment services to continuously maintain the solution. In addition, the Contractor shall implement FOC, deploying throughout all VA providing full capability of the eCase solution, including manager tools and increased data fields, and resolve all initial IOC troubleshooting. The eCase solution will continue to support VA HR modernization efforts to standardize, automate, streamline and improve HR-related services and systems. Additionally, the eCase solution supports standardizing specialized ER/LR data collection and business rules across VA to accurately report and support metrics-driven decision-making in accordance Public Law 115-41 § 211.

The period of performance shall be for 12 months from September 30, 2019 through September 29, 2020 with two 12-month option periods. The action also includes Optional Tasks for additional training. [REDACTED]

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(b)(1), "Items peculiar to one manufacturer. An item peculiar to one manufacturer can be a particular brand name, product, or a feature of a product, peculiar to one manufacturer. A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer."

5. Rationale Supporting Use of Authority Cited Above: Based on market research, as described in Section 8 of this justification, it was determined that limited competition is available among resellers of the brand name AINS eCase solution. Only the eCase solution can interoperate with the configurations and Application Programming Interfaces (API) that is in development and near completion. The Government has made a substantial effort in resources and change management activities to configure existing VA infrastructure and solutions to interoperate with the eCase solution. Specifically, VA is developing an API to the existing Human Resource and Payroll Application Services (HRPAS) VA data warehouse. The HRPAS utilizes a MuleSoft Any Point platform and interfaces with HRSmart, the central data repository for all VA employee HR and pay actions. This API shall allow for data to be extracted, received, and transmitted between the eCase solution, HRPAS MuleSoft Any Point platform, and HRSmart. The API additionally allows for VA Managers to query data based on unique identifiers to each case file and employee information in specific ER/LR formats and auto populates intake forms for at least 21 data fields. Creation of this API has required extensive actions such as, but not limited to, design and design reviews, development of code, user testing, and integration testing. The development includes creation of a system process layer which unlocks data sources, identifies fields that will be utilized and an experience layer which connects to systems to pull information. This API is currently at 90 percent completion and is expected to be fully developed, tested, and deployed by September 23, 2019. The API and VA configurations are specifically developed to

interoperate with the eCase solution. If another solution were to be procured, all configurations and development to create the API would need to be overhauled and recreated to uniquely interoperate with the new solution.

Additionally, it is expected that implementing the eCase solution for IOC will be completed by September 30, 2019. Since the roll out to IOC was a 12-month effort, any other solution would require an enormous duplication of effort to recreate what has already been accomplished by VA and the eCase solution to get to implementation for IOC. Specifically, VA would need to recreate extensive activities such as procurement planning, numerous security reviews, approvals, and configurations; network configurations including Single Sign On Internal (SSOi); develop new solution configurations; data migration; conduct functional/regression/security testing which have already been accomplished in implementing the eCase solution. eCase required specific configurations to work with VA's SSOi functionality, which is a core VA capability for internal directory permissions and security of Personal Identity Verification (PIV) within VA network access. The SSOi data and permission levels required eCase configurations to recognize multiple permission levels by location within the VA active directory that determine the level of access within the eCase solution. This also required background investigations, network access, and testing to ensure the configurations were interoperable within the VA infrastructure and network. Additionally, the eCase solution required an Authority to Operate and needed numerous cross functional team engagement to obtain approvals through the Veterans-Focused Integration Process Request. The eCase solution also obtained FedRAMP reviews, required by the VA cybersecurity team and is tracked by OI&T's RiskVision system, and Privacy Information Assessment and Privacy Threshold Assessment. Finally, the Government has invested resources into the data extraction and conversion from existing systems across VA into the eCase solution. VA has conducted data export efforts to pull over 18,000 case management files and attachments from the legacy systems, converted ER/LR eCase management files and attachments to PDF format, and implemented the converted files into a VA specified naming convention for migration into the eCase platform. This data migration is in direct support of VA's compliance with Public Law 115-41 § 211 reporting by October 2019.

The redevelopment of APIs and replacement of the existing eCase solution would require an extensive duplication of effort, project schedule delays, and duplicated costs that would not be recovered through competition. These efforts, as described above, are anticipated to take over 12 months of redundant labor and activities to review, approve, and recreate what has already been developed and implemented within VA; and duplicative costs of \$500,000 that would not be recovered through competition. Furthermore, the eCase solution implementation to IOC only provides VA with partial capability which not only would have to be duplicated under a new solution but would require further delay to obtain FOC beyond the 12 months.

Finally, the sustainment services can only be performed by an AINS authorized reseller partner. The eCase solution is based on proprietary software source code. Only AINS and its authorized resellers have access to the proprietary code base

necessary to provide the associated services such as sustainment, configuration support, O&M, data migration, hosting, testing, and transition support. Access to this code is necessary to ensure all services are properly configured.

If the eCase solution is not continued to FOC, it will remain at partial capability, lacking multiple functions for the solution to standardize and track employee conduct issue cases. Procurement of another solution would mean VA's continued failure to comply with Public Law 115-41 § 211 reporting by October 2019 and commitments to comply with findings of the GAO report 18-137 Response 9 where VA committed to reporting by October 2019. If VA fails to comply with Public Law 115-41 § 211 and with GAO 18-137 Response 9 it would negatively impact VA's ability to modernize its Employee Relations process and to fix known and unknown gaps in its performance management systems as directed by Congress and GAO. Failure to continue with the eCase solution would result in the VA's continued inability to conduct analysis and subsequent correction of the way it processes ER/LR cases. At present, VA has no means to obtain statistically accurate data on how ER/LR cases are processed and therefore cannot provide sound recommendations on how to fix gaps. VA, for decades, has been making vast assumptions on what problems exist in its ER/LR processes; only with data from a unified case management system will assist VA in making measurable improvements. Without a clear understanding of the situation, which the eCase system provides, there is no way to accurately calculate the possible negative impacts that will remain to Veterans resulting from unknown gaps in the processes. Furthermore, VA would continue to fail to meet initiatives for HR modernization (Management Objective 4.2), the VA Accountability First Act of 2017 (House Resolution 1259), and the Presidential Executive Order Promoting Accountability and Streamlining Removal Procedures Consistent with Merit System Principles issued May 25, 2018.

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. However, the undersigned VA technical representative determined that limited competition is available among authorized resellers for eCase solution and associated services. In accordance with 8.405-6(a)(2) this justification will be made publicly available within 14 days of award. Furthermore, in accordance with FAR 8.405-6(b)(3) this justification will be posted with the Request For Quotation.

7. Actions to Increase Competition: 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.

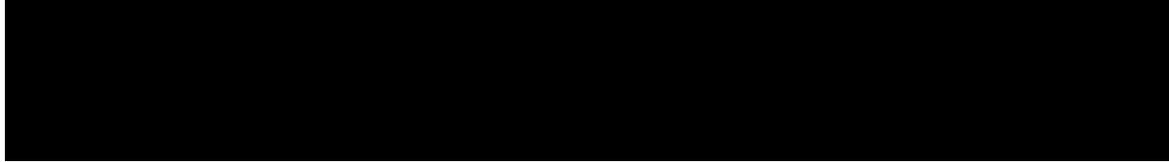
8. Market Research: Government technical experts have conducted continuous market research, most recently from January through July 2019, to ascertain if similar solutions could meet HRA's requirements. During July 2018, the Government conducted product demonstrations and reviewed similar software solutions such as eBOS, I-Sight, and Entellitrack. Government technical experts renewed its market research during July 2019. Specifically, Government technical experts conducted market research via internet research, review of product literature, direct discussions with AINS. Based on

the market research the Government technical experts determined that only eCase can interoperate with the existing VA infrastructure and network configurations and Government developed API that is scheduled for completion on September 23, 2019. Furthermore, Government technical experts determined through its market research, that the use of any other solution besides AINS eCase, would require the duplication of substantial resources and time to recreate the IOC effort that would not be recovered through competition.

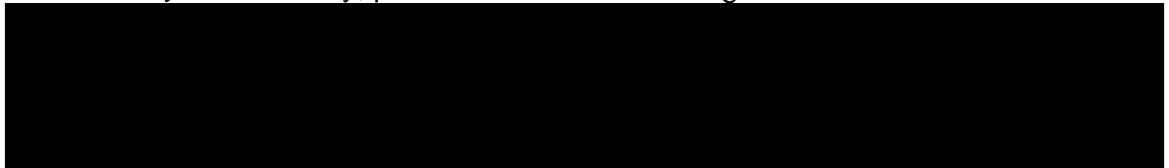
Additional market research efforts were conducted during July 2019 through review of AINS authorized resellers. There are currently twelve authorized resellers under the AINS Partner Network Program: Cooper River Enterprise Services, Tagence, Booz Allen Hamilton, PPC, iDox, Deloitte, CDW-G, Copper River Information Technology, Praescent Analytics, IBM, CSRA, and Immix Group. A review of GSA determined that there are at least two authorized small business partners under FSS 70. Therefore, there is reasonable expectation that limited competition exists for the Government's requirements.

9. Other Facts: None.

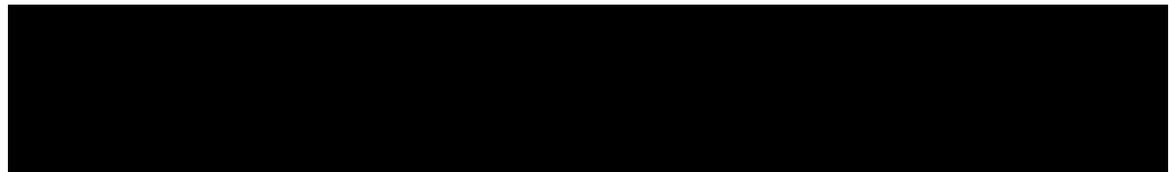
10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.



11. Fair and Reasonable Cost Determination: I hereby determine that the proposed contract action will represent the best value to the Government consistent with FAR 8.404(d). GSA has already determined that the prices on the FSS contract are fair and reasonable. Further price analysis, will be conducted and subsequent negotiations held as necessary. Additionally, price discounts will be sought

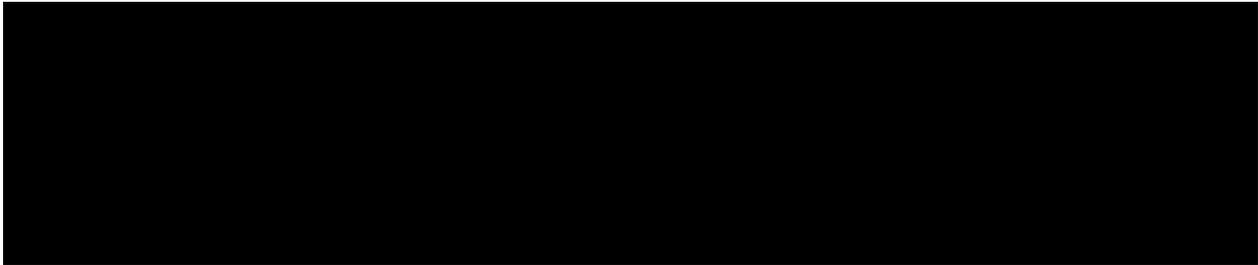


12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.



Approval

In my role as procuring activity Advocate for Competition, based on the foregoing justification, I hereby approve the acquisition of AINS brand eCase subscription licenses, associated sustainment services, and FOC implementation on an other than fair opportunity basis pursuant to the authority cited in paragraph 4 above, subject to availability of funds, and provided that the property and services herein described have otherwise been authorized for acquisition.



LIMITED-SOURCES JUSTIFICATION
Coordination Matrix

