

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23 and the VAHCS located at 4801 Veterans Drive, Saint Cloud, MN 56303.

This is a Justification for Other Than Full and Open Competition. This is brand name justification.

618-13-2-020-0301.

2. **Nature and/or Description of the Action Being Processed:** A fixed price purchase order for the procurement of software and hardware to upgrade from v5.0 to v360 of the Nuance PowerScribe Speech Recognition System.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Nuance PowerScribe Speech Recognition System to include upgrade from v5.0 to v360 and integration for MedRad Injectors and Philips Ultrasound.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - () (5) Authorized or Required by Statute FAR 6.302-5;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** VISN 23 currently owns Nuance PowerScribe Speech Recognition System. The PowerScribe Speech Recognition system is a major VISN 23 wide system utilized by Radiologist to create Radiology reports for 450,000 annual imaging studies.
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Due to the fact that VISN 23 already has a Nuance PowerScribe in place, and an upgrade will meet the governments needs without replacing the entire system.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The majority of the items are available through a Federal Supply Schedule Contract. Any open market items prices will be compared to prices that were found fair and reasonable on previous purchases.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted at the December, 2012 Radiological Society of North America (RSNA) meeting in Chicago. Participants in the research included Radiologist, Radiology Manager, Radiology Technologist, PACS Administrators and Biomedical Engineers. The research indicated that upgrading our current PowerScribe system would provide an excellent technology upgrade and minimize integration efforts required with VistA and Radiology PACS required with a new system. Previous upgrades of the PowerScribe system were successfully managed and completed successfully.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** The users are familiar and satisfied with the current PowerScribe system minimizing the effect on Radiologist productivity with learning a new application. The upgrade will leverage 75% of the currently deployed server hardware and 100% of the client hardware substantially reducing duplication of cost.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** See Section VI above.
11. **A Statement of the 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:** In order to enhance competition, the speech recognition system would have to be replaced, which is cost prohibitive in relation to the estimated cost of the upgrade. If in the future it is determined that the entire system needs to be placed this will be done through a competitive procurement.