JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

The following is pursuant to the authority of 41 U.S.C. 4106(c)(2) as implemented in Federal Acquisition Regulation (FAR) 16.507-6(b)(2) – Only One Capable Awardee

1) Identification of the agency and the contracting activity.

This Justification for an Exception to the Fair Opportunity process is being conducted on behalf of the Veterans Integrated Service Network (VISN) 12. Eight Delivery Orders will be executed by the Department of Veterans Affairs National Acquisition Center (NAC), High Tech Medical Equipment (HTME) Post Award, Picture Archiving and Communication System (PACS) and Laundry Division.

2) Nature and/or description of the action being approved.

Authorization to use an Exception to the Fair Opportunity process as Change Healthcare Technologies, LLC is the only one capable awardee of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized. The Delivery Orders will be issued under the terms and conditions of the Defense Logistics Agency (DLA) awarded contract SPE2D1-18-D-0006 to Change Healthcare Technologies, LLC.

3) A description of the supplies or services required to meet the agency's needs, including the estimated value.

The Delivery Orders are for upgrades of the Change Healthcare Enterprise Imaging PACS, due to an end of support of, version 14.1, operating on Windows Server 2016 OS, to version 14.2.2, operating on Windows Server 2022 OS.

The purchase includes the following:

CHICAGO VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Application Server – HPE (2)
- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)
- Dell EMC Unity XT 380 H 130TB Usable, 4x 10GBE OPT SFPs, 4x400GB SAS FLASH, 9x3.2TB SAS Flash, 14x 12TB NL-SAS, 5 years ProSupport Plus Mission Critical, ProDeploy Plus (1)
- Change Healthcare Radiology Solutions Test Server – HPE (3)

SOFTWARE

- Nuance Carahsoft Microsoft SQL Server 2022 Standard Core - 2 Core License Pack – Perpetual (10)

SERVICES

- Change Healthcare Radiology Solutions Care Continuance Server implementation services – does not include project management services (1)

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)
- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)
- Nuance PS360 Remote Server Data Migration services (1)
- Nuance PS360 Interface Migration services (1)
- PowerScribe professional services – Field Service Engineer SSL Conversions/Troubleshooting – On Prem (1)
- Proejct Management Services – Remote Hourly (10)
- Nuance PS360 Migration of Server Data to Additional Servers services (1)
- Training Services – Remote hourly (10)

The total Chicago VAMC value is $266,925.49.

DANVILLE VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Application Server – HPE (2)
- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)
- Storage Server for Cache1 (SSD) – 44TB Usable – 2U – Dell (1)

SERVICES

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)
- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)

The total Danville VAMC value is $65,191.74.

HINES VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Application Server – HPE (2)
- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)
- Dell EMC Unity XT 380 H 130TB Usable, 4x 10GBE OPT SFPs, 4x400GB SAS FLASH, 9x3.2TB SAS Flash, 14x 12TB NL-SAS, 5 years ProSupport Plus Mission Critical, ProDeploy Plus (1)

SERVICES

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)

- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)

The total Hines VAMC value is $169,420.05.

IRON MOUNTAIN VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Application Server – HPE (2)
- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)
- Storage Server for Cache1 (SSD) - 44TB Usable – 2U – Dell (1)

SERVICES

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)
- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)

The total Iron Mountain VAMC value is $65,191.74.

MADISON VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)
- Change Healthcare Radiology Solutions Application Server – HPE (2)

SERVICES

- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)

The total Madison VAMC value is $33,735.53.

MILWAUKEE VAMC:

HARDWARE

- Change Healthcare Enterprise Viewer – 1U Database Server – HP (2)
- Change Healthcare Radiology Solutions High-availability Database Server – up to 3,000,000 exams per year – HPE (1)
- Change Healthcare Radiology Solutions Application Server – HPE (6)
- Change Healthcare Radiology Solutions General Server – HPE (2)
- Memory Upgrade 8GB (1x8GB) – for HP ProLiant DL160 Gen9 (2)

- Dell EMC Unity XT 380 H 130TB Usable, 4x 10GBE OPT SFPs, 4x400GB SAS FLASH, 9x3.2TB SAS Flash, 14x 12TB NL-SAS, 5 years ProSupport Plus Mission Critical, ProDeploy Plus (1)
- Change Healthcare Radiology Solutions Test Server – HPE (1)
- Change Healthcare Workflow Intelligence Interpretation Workflow Small All-In-One Server – up to 200,000 APV – HPE (1)
- Change Healthcare Workflow Intelligence Interpretation Workflow Medium DB Server – up to 750,000 APV – HPE (1)
- Change Healthcare Workflow Intelligence Interpretation Workflow Application Server – HPE (1)
- Microsoft SQL Server Standard 2017 2 Cores Embedded ISV (5)
- Microsoft SQL 2017 1 CAL Embedded ISV (5)

SOFTWARE

- Nuance Carahsoft Microsoft SQL Server 2022 Standard Core – 2 Core License Pack – Perpetual (10)
- Change Healthcare Workflow Intelligence Test Server Database Package - Microsoft SQL Server Standard 2017 1 Client Devices (1)

SERVICES

- Change Healthcare Enterprise Viewer - Base Deployment Remote Services Per Site (1)
- Change Healthcare Enterprise Viewer Load Balancing Server Configuration – CHC Supplied (1)
- Change Healthcare Enterprise Viewer Additional DB Configuration for High Availability Option (1)
- Change Healthcare Enterprise Viewer – Deployment Services per Application Server (6)
- Change Healthcare Enterprise Viewer Test Server Configuration (1)
- Change Healthcare Enterprise Viewer – Training Webinar (5)
- Change Healthcare Enterprise Viewer Admin Server – HP (1)
- Change Healthcare Enterprise Viewer 1U Deployment server – HP (1)
- Change Healthcare Enterprise Viewer – 1U Test Server – HP (1)
- Change Healthcare Enterprise Viewer Advanced Application Server – HP (6)
- EI – Radiology PACS Upgrade – Standard (1)
- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)
- Change Healthcare Radiology Solutions Upgrade Pre go-live – Instructor Led Remote Training (1)
- Imaging Data Integration & Migration – Radiology Cache to cache data move. 2M < Total Exams < 3M – DICOM Images, Scan Documents, Voice Clips and Event logs moved from legacy cache to new cache (1)
- Nuance PS360 Remote Server Data Migration services (1)
- Nuance PS360 Interface Migration services (1)
- PowerScribe professional services – Field Service Engineer SSL Conversions/Troubleshooting – On Prem (1)

- Project Management Services – Remote Hourly (10)
- Nuance PS360 Migration of Server Data to Additional Servers services (1)
- Training Services – Remote hourly (10)
- Change Healthcare Workflow Intelligence – 1 day of remote professional services (1)

The total Milwaukee VAMC value is $740,696.00.

NORTH CHICAGO VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Application Server – HPE (2)
- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)
- Dell EMC Unity XT 380 H 87TB Usable, 4x 10GBE OPT SFPs, 4x400GB SAS FLASH, 5x3.2TB SAS Flash, 15x 6TB NL-SAS, 5 years ProSupport Plus Mission Critical, ProDeploy Plus (1)

SERVICES

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)
- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)

The total North Chicago VAMC value is $132,999.84.

TOMAH VAMC:

HARDWARE

- Change Healthcare Radiology Solutions Application Server – HPE (2)
- Change Healthcare Radiology Solutions Network Shelter Server – HPE (1)
- Storage Server for Cache1 (SSD) - 44TB Usable – 2U – Dell (1)

SERVICES

- Change Healthcare Radiology Solutions Network Shelter Server implementation services – when implemented at the same time as a new Change Radiology System (1)
- Change Healthcare Radiology Solutions Network Attached Storage device remote implementation services – Services to be scheduled during business hours (1)

The total Tomah VAMC value is $65,191.74.

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

The overall total value is $1,539,352.13.

4) An identification of the exception to fair opportunity (See, FAR 16.507-6) and the supporting rationale, including a demonstration that the proposed contractor's unique qualification or the nature of the acquisition requires use of the exception cited. If the contracting officer uses the logical follow-on exception, the rationale shall describe why the relationship between the initial order and the follow-on is logical (e.g., in terms of scope, period of performance, or value).

FAR 16.507-6(b)(2) – Only one capable awardee can provide the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized.

Change Healthcare Technologies, LLC is the only vendor who can perform the software maintenance and support; enabling the system to continue meeting the software build specifications, per Change Healthcare Technologies, LLC's PACS U.S. Food and Drug Administration (FDA) clearance. In addition, the PACS, for which these items are to be procured, was obtained from Change Healthcare Technologies, LLC and installation by third-parties would invalidate the warranty provided.

Change Healthcare Technologies, LLC cannot guarantee compatibility of their software for any substituted maintenance and support. The maintenance and support include remote diagnostics, maintenance of the PACS software where Change Healthcare Technologies, LLC is the only contractor authorized to remotely access the Change Healthcare Technologies, LLC servers and workstations on which the PACS software is installed. Change Healthcare Technologies, LLC trained personnel deploy all software updates and upgrades. Software revisions, testing and support are all maintained in accordance with FDA regulations to which Change Healthcare Technologies, LLC adheres. Only personnel trained by Change Healthcare Technologies, LLC to support and maintain the PACS software may perform maintenance and support. Additionally, Change Healthcare Technologies, LLC, and its affiliates abroad, are the only entities capable of owning trade information about the PACS software.

5) A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

The Defense Logistics Agency (DLA) has negotiated fair and reasonable prices and determined the prices awarded under contract SPE2D1-18-D-0006 to be fair and reasonable; thus, a separate determination of fair and reasonable pricing is not required. The Contracting Officer has conducted a price evaluation to ensure that the quoted prices are equal to or less than the contract price. By placing orders against SPE2D1-18-D-0006 it is to be concluded that the Delivery Orders represent the best value in meeting the Government's needs.

6) Any other facts supporting the justification.

The Veterans Health Administration (VHA) directive 1104 provides policy for establishing and maintaining VISN PACS to support storage for the display and

interpretation of radiologic images.

PACS are computer-based medical systems dedicated to the storage, retrieval, distribution, and presentation of images. The medical images are stored in an independent format. The most common format for image storage is DICOM. Analytic and functional software for respective imaging modalities may be available from PACS vendors at an additional cost.

PACS have been acquired and implemented in various configurations within VHA. It is beneficial to establish VISN wide PACS with a common interface standard to facilitate the care of patients referred amongst facilities within a VISN, efficiently utilize radiologists by means of cross-facility interpretation agreements, reduce the costs of equipment and maintenance contracts, ensure interface compatibility with VISTA, share technical equipment expertise within a VISN, and ensure continuity of service in the event of a disaster. PACS achieve VISN wide interoperability for diagnostic imaging interpretation.

It is VHA policy that every facility within each VISN utilize the same PACS. All patient information in PACS is archived in VISTA Imaging at the respective VA medical facility. PACS and voice recognition systems must be integrated to facilitate efficient workflow and mitigate wrong patient selections with two independent systems.

7) A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the exception to fair opportunity before any subsequent acquisition for the supplies or services is made.

Every requirement is unique and costs/benefit assessment for competition will be made on a case-by-case basis.

8) The Contracting Officer's certification that the justification is accurate and complete to the best of the Contracting Officer's knowledge and belief.

By signing this justification, the Contracting Officer hereby certifies that the justification is accurate and complete to the best of their knowledge. The technical information contained in the quote was reviewed and certified by the facility Biomedical Engineer.

9) Evidence that any supporting data that is the responsibility of the technical or Requirement's personnel (e.g., verifying the Government's minimum needs or requirements or other rationale for an exception to fair opportunity) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel.

By signing this justification, the Contracting Officer hereby certifies that the justification is accurate and complete to the best of their knowledge.

10) A written determination by the approving official that one of the circumstances in FAR 16.507-6(b)(2) applies to the order.

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

Based on the information contained herein, a determination has been made that this requirement meets the exception at FAR 16.507-6(b)(2) – Only one capable awardee can provide the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized.

CERTIFICATION AND APPROVALS:

TECHNICAL/REQUIREMENTS CERTIFICATION

Pursuant to FAR 16.507-6(d)(2)(ix), I certify that the justification is complete and accurate to the best of my knowledge and belief.

(b) (6)

VISN 12 – VA Great Lakes Health Care System

CONTRACTING OFFICER CERTIFICATION

Pursuant to FAR 16.507-6(d)(2)(viii), I certify that the justification is complete and accurate to the best of my knowledge and belief.

(b) (6)

HTME Post Award, PACS & Laundry Division

(b) (6)(b) (6)

HTME Post Award, PACS & Laundry Division

COMPETITION ADVOCATE APPROVAL

The following is pursuant to the authority of 41 U.SC. 4106(c)(2) as implemented in Federal Acquisition Regulation (FAR) 16.507-6(b)(2) – Only One Capable Awardee.

(b) (6)

Strategic Acquisition Center and National Acquisition Center