

## Limited Source Justification

*"Source Selection Information – see FAR 2.101 and 3.104"*

1. **Identification of the agency and contracting activity.**
  - a. **Federal agency and contracting activity.** HHS. Centers for Medicare and Medicaid Services (CMS)
  - b. **Sponsoring organization.** Office of Communications / Strategic Marketing Group / Division of Campaign Management
  - c. **Project Officer information:**
    - **Project Officer name:** Matthew Aiken
    - **Mailing address:** 7500 Security Blvd, Baltimore, MD 21244
    - **E-mail address:** [Matthew.Aiken@cms.hhs.gov](mailto:Matthew.Aiken@cms.hhs.gov)
    - **Telephone number:** 410-786-1029
2. **Nature and/or description of the action being approved.**
  - a. **Acquisition purpose and objectives.** The Affordable Care Act (ACA) was signed into law on March 23, 2010. As a result, the Act requires that CMS educate consumers, about the benefits now available through that legislation. Health Care Providers (HCPs) are important partners to assist in this outreach as they interact with the patient in the most crucial time for decision making on health care. Additionally, CMS handles education on many priority health topics. This task order will allow CMS to reach a broader consumer and HCP audience on the aforementioned topics.
  - b. **Project background.** GSA Task Order HHSM-500-2011-00155G was competitively awarded to WebMD for the work described above. In the interest of economy and efficiency, a one (1) year logical follow-on task order for continued education of consumers and HCPs on the new legislation is proposed.
    - **Name of the Incumbent Contractor.** WebMD Health Corp., Task Order # HHSM-500-2011-00155G awarded on September 29, 2011.

- **Period of Performance.** September 29, 2011 – September 28, 2014; The Task Order was awarded as a base and two option years.
- **Total Obligated to Date.** \$13,932,914
- The initial award was competed against the GSA MOBIS Schedule.

**3. Description of the supplies or services required to meet the agency's needs (including the estimated value).**

- a. **Project title.** The ACA & Health Care Priorities Educational Initiative
- b. **Project description.** The purpose of the ACA/Health Care Priorities Educational Initiative is to increase understanding and provide in-depth knowledge of the ACA and its implications and implementation among health care providers and consumers. The goal of this task order is to encourage providers and consumers to turn to official information sources regarding the ACA and to create an accurate perception of the ACA among health care providers and consumers.

This is a support services requirement which will be accomplished by utilizing a firm fixed price (FFP) follow-on task order. The request for quote (RFQ) will be #140614.

- c. **Total Estimated Dollar Value and PoP.** The estimated amount is \$650,000.00 for the period of September 15, 2014 to September 14, 2015.

**4. Identification of the justification rationale [see 8.405-6(a) and (b)] and, if applicable, a demonstration of the proposed contractor's unique qualifications to provide the required supply or service.**

- a. **Acquisition Authority.** This acquisition is conducted under the authority of the Multiple Award Schedule Program. Consideration of schedule contractors will be restricted to fewer than the number required by FAR 8.405-6(a)(1)(i)(C).

**b. Demonstration of the proposed contractor's unique qualifications to provide the required services.**

- **Name and address of the proposed contractor.**  
WebMD Health Corp., 111 Eighth Avenue, New York, NY 10011
- **Nature of the acquisition and proposed contractor(s) unique qualifications.** Pursuant to FAR 8.405-6(a)(1)(i)(C), it is in the interest of economy and efficiency to utilize a logical follow-on to continue this work. WebMD has been performing work under this contract for approximately three (3) years and is well versed on the intricacies of ACA and the necessary outlets (i.e., WebMD and Medscape websites) needed to meet the requirements of the Statement of Work.

As a result of the initial task order, healthcare consumers and providers have become accustomed to obtaining information regarding ACA and the Marketplaces from the WebMD and Medscape websites. The sites have become the trusted source of information and education regarding the new law and related topics. Changes to the source of this information would likely confuse those that require the information to successfully navigate healthcare reform. A consistent source of information is critical to the success of the ACA and Marketplace Exchanges.

Additionally, WebMD/Medscape has shown that they have the best reach of HCPs for Continuing Medical Education (CMEs) in the industry.

The original order was competitively placed under a Federal Supply Schedule. This logical follow-on will continue under the same Schedule.

**5. Determination by the ordering activity Contracting Officer that the order represents the best value consistent with FAR 8.404(d).**

In accordance with FAR 8.404(d), the ordering activity is not required to make a separate determination of fair and reasonable pricing as GSA has already determined rates for services offered at fixed price for performance of a specific task to be fair and reasonable. Additional discounts will be sought before placing an order. In addition, the CO will utilize historical costs from the previous competitive acquisition to

determine that the total price is reasonable. Furthermore, the Contracting Officer (CO) will use the independent government cost estimate to ensure that the proposed price represents the best value to the government.

**6. Description of the market research conducted among schedule holders and the results, or a statement of the reasons market research was not conducted.**

The Accreditation Council for Continuing Medical Education (ACCME) is the main accreditation organization for CMEs. ACCME records CME providers reach capabilities. Competitors were found through multiple research tools (SAM, GSA schedule, JAMA Medical Communication Companies, online search) and were compared to the current contractor, WebMD Health Corp., to determine if their reach was competitive. None of the competitors were able to reach the amount of HCPs that the contractor could. Because this task order is being issued in the interest of economy and efficiency for the reasons previously stated, no further market research was conducted.

**7. Any other facts supporting the justification.**

Any new contractor would result in a significant amount of government time and resources to help the contractor understand procedures, time frames for process steps and content rules plus any other learning curve the contractor may have. Having a contractor that has already worked with CMS on this project will allow CMS to seamlessly and efficiently complete the logical follow-on workload.

**8. Statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the restricted consideration before any subsequent acquisition for the supplies or services is made.**


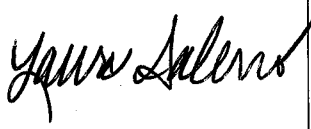

**a. Removal of barriers to competition.**

It is currently uncertain whether there will be a continuing need for this service after the logical follow-on. In the event that the need arises, CMS will perform market research prior to the continuation of this work to determine if there are other viable sources.

**b. Listing of sources, if any, that expressed an interest, in writing, in the acquisition. None**

**9. Program office certification.**

**This is to certify that the portions of this justification that have been developed by the undersigned program office personnel, including supporting information and/or data verifying the Government's minimum needs or requirements, or other rationale for limited sources, are accurate and complete.**

<b>Official</b>	<b>Name &amp; Title</b>	<b>Signature</b>	<b>Date</b>
<b>Project Officer</b>	Matthew Aiken		07/17/14
<b>Project Officer's Immediate Supervisor</b>	Laura Salerno Director, Division of Campaign Management		7/23/14
<b>Head of the Sponsoring Program Office</b>	Mary Wallace Director, Office of Communications		7/23/14

**11. Contracting Officer Certification.**

**This is to certify that the justification for the proposed acquisition has been reviewed and that to the best of my knowledge and belief the information and/or data provided to support the rationale and recommendation for approval is accurate and complete.**

<b>Official</b>	<b>Name &amp; Title</b>	<b>Signature</b>	<b>Date</b>
<b>Contracting Officer</b>	Deborah Lester, Contracting Officer		