Justification and Approval (J&A) for Other than Full and Open Competition
Revolutionary Federal Acquisition Regulation (FAR) Overhaul (RFO) Parts 6 and 12
Implemented by Class Deviation 2026-O0017

1. Identification of the Agency and Contracting Activity: The Defense Health Agency (DHA) EMS-CD has the following requirement that is being procured by the Defense Health Agency Contracting Activity (DHACA), Enterprise Medical Services Contracting Division.

2. Nature and/or Description of Action being Approved: The DHA is pursuing a follow-on, firm-fixed-price, sole source for licenses of a computer-based cognitive assessment tool called Automated Neuropsychological Assessment Metrics (ANAM). The current contract, W81XWH21P0144 expires on 29 July 2026.

3. Description of Supplies/Services and Estimated Value:

The contractor is Vista LifeSciences, LLC a subsidiary of Vista Partners LLC

This requirement is for an enterprise agreement for Automated Neuropsychological Assessment Metrics (ANAM) software, which is the foundation of the Department of War (DoW) neuropsychological assessment solution.

There is a major focus on cognitive assessment for service members. The concern comes from injuries seen during conflicts in which Service members may be injured by explosions, and other mechanisms of injury resulting in a concussion, also known as a mild traumatic brain injury (mTBI). A brain injury that may result from such mechanisms can range from mild to severe. A mTBI/concussion may cause changes which include slower reaction time, headaches, irritability, memory impairments, and sleep difficulty. These symptoms may result in decreased performance, and performance is critical to mission effectiveness. A mTBI/concussion may go unnoticed because symptoms may not be obvious to the service member, Command, or to those with whom they serve.

On May 28, 2008, The Assistant Secretary of Defense, Health Affairs office published a memorandum directing all Services to begin implementing baseline pre-deployment neurocognitive assessments for all service members. All service members are required to complete their pre-deployment neurocognitive assessment within the 12 months preceding a deployment. Post-deployment assessments are required when SMs report having sustained or suspected to have sustained a concussive injury during their Post Deployment Health Assessment (PDHA). These neurocognitive assessments are a mandatory requirement.

Controlled by: Defense Health Agency (DHA)
Controlled by: DHACA
CUI Category: Source Selection
Limited Dissemination Control: FED Only
POC: Thomas L. Reese

The purpose of this test is to establish a cognitive baseline in the event the service member is diagnosed with a mild TBI (mTBI)/concussion. If the service member is diagnosed with an mTBI/concussion, the service member will take another ANAM, the results of which would be compared to their original baseline to assist in guiding the best course of care and informing return to duty determinations.

The ANAM is a computer-based cognitive assessment tool designed to detect the speed and accuracy of attention, memory, and thinking ability. It records a service member's performance through responses provided on a computer. ANAM testing is conducted prior to deployment and can be used to identify and monitor changes in function. The test is not diagnostic, but rather, assists healthcare staff by comparing a Service member's speed and accuracy of attention, memory, and thinking ability before and after an injury.

4. Statutory Authority Permitting Other Than Full and Open Competition: The statutory authority permitting the sole source acquisition is 41 U.S.C. 1901, as implemented by FAR 12.201-1 and Class Deviation 2026-O0017 Rev. 1, using justifications conformed to the format at 6.104-1, and modified to reflect that the procedures were used in accordance with 41 U.S.C.1901 or the authority of 41 U.S.C. 1903.

5. Rationale Justifying Use of Authority Cited: This acquisition is for the continued procurement of ANAM software licenses required for pre-deployment baseline, post-injury neurocognitive assessments of service members. The Department of War (DoW) has used ANAM for this purpose since the mandate for such testing was established by the National Defense Authorization Act for Fiscal Year 2008. DoDI 6490.13, September 11, 2015, specifically identified the ANAM as the only DoD designated neurocognitive assessment tool.

The use of a sole-source justification is required because the ANAM software possesses unique characteristics and attributes peculiar to Vista LifeSciences, LLC, is the only source capable of providing this critical tool.

- **Exclusive Licensing and Proprietary Rights:** The ANAM technology was developed within the U.S. DoW and patented by the U.S. Army. The Army exclusively licensed ANAM to the University of Oklahoma, which in turn granted an exclusive commercialization and development license to Vista LifeSciences LLC, a subsidiary of

Vista Partners LLC. Therefore, Vista Partners LLC is the only commercial entity with the legal rights to provide, maintain, and develop the ANAM software.

- **DoW Standardization and Investment:** ANAM is the established and standardized neurocognitive assessment tool across the DoW. This has led to the creation of a critical and irreplaceable database of more than four million baseline ANAM assessments for Service members. To fulfill the mission of longitudinal assessment (comparing post-injury performance to a pre-deployment baseline), the Department should use the same ANAM tool to ensure data integrity and validity.
- **Unparalleled Validation for Military Application:** ANAM has been the subject of decades of military-specific research and is referenced in over 400 peer-reviewed studies and technical reports. This makes it the most comprehensively researched and validated cognitive assessment technology for military and TBI applications. No other commercially available tool has been subjected to the same level of rigorous, military-focused validation.

6. Efforts to Obtain Competition: Market research confirms that due to the exclusive licensing agreement held by Vista Partners LLC, no other vendor can provide the ANAM software. A "brand name or equal" solicitation is not feasible as no other product can meet the government's need to maintain consistency with the established ANAM baseline data and its unique, validated military-specific testing protocols. Posting a synopsis of this proposed action in the Government Point of Entry (GPE) would not yield any additional sources. Additionally, ANAM is a proprietary, FDA-cleared clinical system. Open-source intelligence and academic literature verify Vista LifeSciences' exclusive commercial rights. Research into similar naming conventions (e.g., Anam AI, Anam Technologies) confirmed they belong to unrelated industries (AI avatars and SMS firewalls) and do not meet the DHA requirement for clinical neurocognitive assessment.

7. Actions to Increase Competition/Remove or Overcome any Barriers to Competition: The barriers to competition are statutory and contractual in nature (i.e., the exclusive license). The Department of War will continue to monitor the market for alternative neurocognitive assessment tools that may, in the future, demonstrate the level of validation and military-specific utility comparable to ANAM. However, for the foreseeable future, maintaining data continuity and leveraging the significant investment in the existing ANAM infrastructure necessitates this sole-source approach.

8. Market Research: Market research, conducted in accordance with RFO FAR Part 10 and PGI 206, was multifaceted and was undertaken to ascertain 1) if the requirement meets the RFO definition of a Commercial Product; 2) if two or more small businesses exist that can meet the Government’s requirement; and, 3) if there is more than one source capable of meeting the government’s requirement.

Market research examined if the requirement met the definition of a commercial product, as specified in RFO Part 2, which is a product, other than real property, that is of a type customarily used by the general public or by nongovernmental entities for purposes other than governmental purposes and (i) has been sold, leased, or licensed to the general public; or (ii) has been offered for sale, lease or license to the general public. Market research determined that the requirement does meet this definition and is commercially available; thus, commercial terms and conditions will apply.

Market research conducted in accordance with RFO Part 10 does not support the idea that a minimum of two or more capable small businesses could potentially satisfy this requirement. Given the information above, this requirement is not appropriate for a small business set-aside.

Market research included an NOI posted on Sam.gov on 5 May 2026 with one response received from AnthroTronix, Inc. The company submitted a capability statement as well as an email stating they could offer DANA a new neurocognitive assessment platform. The information was provided to the end user for evaluation, Major Brandon Stanley, who evaluated the submission and determined DANA was not a replacement for the ANAM software.

Market research included posting a Sources Sought Notice on SAM.gov on 10 Jul 2026. Zero responses were received.

Market Research confirms that ANAM is a proprietary product available only through Vista Partners LLC (Vista LifeSciences). While other cognitive assessment tools exist, none possess the extensive US military-specific validation or compatibility with the vast historical database of Service member baselines that are essential to the DoW's requirements.

9. Other Facts:

a. Procurement History:

(1) Is this a new requirement? No

(2) If 9.a.(1) is No, was the action just prior to this one competed? No. The prior J&A cited 13.501(a)(1)(i) Only one source reasonably available (including brand name). In accordance with the DoDI 6490.13, September 11, 2015, the ANAM4 is the DoD designated neurocognitive assessment tool supporting the policy requirement to implement a comprehensive neurocognitive assessment program in the military. The use of this tool will remain in effect until such time as evolving science and medical best practice guidelines inform a change in policy. Vista Partners LLC is the only contractor that can provide its proprietary ANAM software. The ANAM application is developed by and sold by only one vendor; Vista Partners LLC. Vista Partners LLC has not licensed the resale rights to maintain or sustain the ANAM application to any other contractors. This acquisition is a sole source due to Vista Partners LLC retaining the data rights to the ANAM source code. Access to the source code is necessary to accomplish the sustainment services covered by the contract. Therefore,

due to the proprietary nature of the ANAM source code, no other vendor could legally provide the software. The current period of performance ends on 29 July 2026.

(3) If 9.a.(2) is Yes, what has changed where this action cannot be competed? N/A

b. Additional Information: N/A

10. Interested Sources: N/A. Sources Sought and a Notice of Intent were posted on SAM.gov on 5 May and 10 Jul 2026. No acceptable alternative contractors or solutions were provided.

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

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

13. Legal Review: I certify that this Justification and Approval for ANAM software from Vista LifeScience, LLC.

14. Contracting Officer Determination of Fair and Reasonable Pricing and Certification of Accuracy and Completion.

Fair and Reasonable Cost Determination: I hereby determine the anticipated cost to the Government for this contract action will be fair and reasonable.

Basis for Determination: I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable through price analysis and through review against the independent government estimate. Certified cost or pricing data is not required in accordance with FAR 15.403-2(b)(3).

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

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Thomas L Reese
Contracting Officer
DHACA, EMS-CD