

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
260 Industrial Way West
Eatontown, New Jersey 07724

2. Description of Action: This proposed action is for a Firm-Fixed-Price Delivery Order (DO) for eight brand name International Business Machines (IBM) WebSphere DataPower XI-52 devices, eight IBM Tivoli Access Manager for WebSphere DataPower devices, IBM WebSphere DataPower XI-52 and IBM Tivoli Access Manager device maintenance support subscriptions for these items. Additionally, the proposed action will provide Business Critical Services for new and existing devices, Hard Drive Retention services for new and existing devices, and maintenance renewal for three existing IBM WebSphere DataPower XI-52 devices. The proposed effort will be awarded under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC). The period of performance (PoP) for the maintenance and support for the 16 new IBM WebSphere DataPower devices shall be 12 months from date of award, and for the three existing IBM WebSphere DataPower XI-52 devices the PoP will be from March 19, 2014 to the end of the 12-month base period. In addition, there will be three 12-month option periods for maintenance support renewal, Business Critical services, and Hard Drive Retention services for all devices. Delivery of brand name items shall be within 10 days of receipt and processing of the delivery order at the NASA SEWP IV GWAC.

3. Description of the Supplies or Services: The proposed action is to procure eight IBM WebSphere DataPower XI-52 devices, eight IBM Tivoli Access Manager for WebSphere DataPower devices, maintenance support subscriptions for the IBM WebSphere DataPower XI-52 and Tivoli Access Manager devices, Business Critical services, Hard Drive Retention services, and maintenance renewal subscriptions for three IBM WebSphere DataPower XI-52 devices. The IBM WebSphere DataPower XI-52 device is a service-oriented architecture (SOA) appliance and Extensible Markup Language (XML) Gateway. The DataPower XML Security Gateway appliances provide application level firewall functionality, service integration, governance, and network layer security via services processing and policy enforcement. The appliance also includes hardware and software to accelerate XML and web services processing, optimized XML processing and hardware acceleration, hardware support for encryption/decryption operations, digital signature handling and Secured Sockets Layer processing. The IBM Tivoli Access Manager for WebSphere DataPower provides a layer of authorization policy enforcement and mechanisms to verify defined policy and audit authorization decisions within the VAAFI system. The IBM WebSphere DataPower XI-52 and Tivoli Access Manager for WebSphere DataPower maintenance services include On-Site Repair/Exchange Services, seven days a week, 24hrs/day and comprehensive, high-quality remote support to include assistance for suspected defects and appliance-specific, task-oriented questions regarding the installation and operation of currently-supported appliances and online access to version updates. The Business Critical

Services include on-site repair or hardware appliance parts replacement within four hours 24 hours per day seven days per week. The Hard Drive Retention services include support efforts to comply with privacy regulations which enable complete control of confidential data by allowing retention of replaced hard drives and hard drive replacement if necessary. The total estimated price of the proposed action is [REDACTED] (inclusive of options).

4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B), entitled "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized".

5. Rationale Supporting Use of Authority Cited Above: Based on extensive market research, as described in paragraph eight of this document, it was determined that limited competition is viable among authorized resellers for this brand name item and services. This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. The IBM WebSphere DataPower XI-52 refresh has been identified as a need for Identity and Access Management (IAM) moving forward with transitioning the Veterans Affairs Authentication Federation Infrastructure (VAAFI) system to the Austin Information Technology Center. Additionally, new devices are needed at the Terremark Data Center for Access Services applications such as e-Signature and Single Sign On-Internal. IBM or authorized resellers of the IBM WebSphere DataPower XI-52 product line can meet VA's requirements. The entire VAAFI system has been developed using the IBM WebSphere DataPower XI-52 devices as the foundational component. There are three IBM WebSphere DataPower XI-52 devices already in production configuration, supporting over 300,000 Veterans interactions with Internet-based services each month. This proprietary device provides advanced specialized capabilities, which are not present in other products, for digital signing through certificates, supporting the specialized access control to the private data of Veterans within VAAFI. Specifically, these IBM devices are the only items that provide the following functional requirements needed by VA: drop-in integration for heterogeneous environments by enabling core Enterprise Service Bus functionality which simultaneously includes: routing, bridging, transformation, and event handling; low Latency Messaging module support The Information Bus Company (TIBCO), Enterprise Message Service (EMS), WebSphere Message Queue (MQ), Java Message Service (JMS) and Hypertext Transfer Protocol Secure (HTTPS); advanced congestion and traffic rate control Optimized XML processing and hardware acceleration; hardware support for encryption/decryption operations; digital signature handling and Secured Sockes Layer (SSL) processing; throttling of incoming messages; dynamically load-balance over back-end systems. The VA needs this unique advanced functionality in order to service the vast requirements of VAAFI and its 37 partner applications. Furthermore, the IBM Tivoli Access Manager is an authentication and authorization solution which contains a database of users which the IBM DataPower XI-52 needs to access to facilitate its SOA and XML capabilities. Therefore, integration with the Tivoli Access Manager device is required for the effective and efficient functioning of the IBM DataPower XI-52 device. Another brand name device cannot be used to support the

IBM DataPower XI-52 device as the IBM Tivoli Access Manager was specifically designed to interface with the IBM DataPower XI-52 device and another brand name would not be compatible with IBM brand name products.

Furthermore, the existing IBM WebSphere DataPower XI-52 devices require uninterrupted and ongoing maintenance support services. Without fully operational IBM WebSphere DataPower XI-52 devices, serious disruption will occur in the ability of a large user population to efficiently access and utilize core VA services and other Federal information systems. Specifically, the negative impacts of this degradation in service include a reduction or suspension of support services that will be experienced by current and planned electronic and digital signature customers which include e-Health, My HealthVet (MHV), and Integrated Electronic Health Record. Without IBM WebSphere DataPower XI-52 device maintenance support and hard drive retention, e-Health and MHV will cease to function; preventing Veterans timely access to their health information and benefits. Finally, the introduction of any brand name product other than IBM will compromise the integrity of Veterans authentications that are validated by the currently fielded IBM WebSphere DataPower XI-52 devices in VAAFI. Specifically, if another brand name were to be introduced, the current VAAFI system would not perform to meet VA's requirements as there would be a lack of interoperability between the current architecture of the VAAFI system and any other brand name. Finally, only IBM or authorized resellers can provide IBM's proprietary annual subscriptions for maintenance support, Business Critical services and Hard Drive Retention services due to the proprietary nature of the brand name items. Any other source would need access to this proprietary data to provide the aforementioned services.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. It was determined that limited competition is viable among authorized resellers for this brand name effort. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsisized at award on the Federal Business Opportunities Page and the justification will be made publicly available. In accordance with FAR 16.505(a)(4)(iii)(A), the justification will be posted with the request for solicitation on the NASA SEWP IV GWAC.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will work with the program office to perform additional market research so that other solutions can be considered.

8. Market Research: Market research was conducted in December 2013, to ascertain other products which satisfy the VA's requirements. Specifically, the features and functionality were examined for the Hewlett Packard (HP) 5820 Switch and the Cisco Nexus 9000 Series. The HP 5820 Switch and the Cisco Nexus 9000 Series do not meet all of the VA's requirements. Specifically, these devices do not meet all of VAs functional and interoperability requirements as outlined in paragraph five of this justification, namely the ability to provide drop-in integration for heterogeneous environments by enabling core Enterprise Service Bus functionality which simultaneously includes: routing, bridging, transformation, and event handling. A

Request for Information (RFI) was also issued on April 4, 2013 to all vendors on the NASA SEWP IV GWAC website in order to identify potential sources of supply other than the Original Equipment Manufacturer (OEM) IBM. The RFI yielded only one response from IBM, which confirmed that the required IBM products and services are available on the NASA SEWP IV GWAC. Additional market research was conducted by utilizing the Product Verification tool on the NASA SEWP website. The search revealed that there are 35 authorized IBM resellers; eight in Group A Value Added Resellers (VARs) and Computer System OEMs, six in Group B Service-Disabled Veteran-Owned Small Business VARs, 12 in Group C Small Business VARs, and nine in Group D Large Business VARs.

9. Other Facts: N/A