

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations (OAO)
Technology Acquisition Center
23 Christopher Way
Eatontown, New Jersey 07724
2. Description of Action: The proposed action is for a firm-fixed-price (FFP) Delivery Order (DO) issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government Wide Acquisition Contract (GWAC) for brand name, Cisco Unified Contact Center Express (UCCX) user software licenses and associated maintenance and Cisco Unified Internet Protocol (IP) 7962 phones. The period of performance for this action is 12 months for software licenses and associated maintenance, inclusive of software and hardware delivery 30 days after DO award.
3. Description of the Supplies or Services: The proposed action is for brand name, Cisco UCCX user licenses and Cisco Unified IP 7962 phones. The hardware/software and associated maintenance are required for VA Information Technology (IT) National Service Desks (NSD), which supports VA Tier 1 calls. VA IT NSD currently has the Cisco UCCX system installed at the Sacramento Data Center which supports seven NSDs and 250 users. The Cisco UCCX products provide automated call distributor, interactive voice response and computer telephony integration that allows Call Center Management to manage calls to the Service Desk through call manager queues, manage agent statuses and to track metrics (i.e. calls in queue, average speed to answer, hold time, talk time, etc.) and provides reporting capabilities. The additional Cisco Unified IP 7962 phones are required due to the increased demand for VA IT Support calls in order to expand VA's current number of Service Desk Technicians that are able to receive Tier 1 support calls. The total estimated price of the proposed action is [REDACTED]
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c) 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 market research, as described in paragraph eight of this document, it was determined that limited competition is viable among authorized resellers for brand name, Cisco UCCX software licenses and associated maintenance and Cisco Unified IP 7962 phones. This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Cisco is the only manufacturer that can continue to build upon VA's existing Cisco Automated Call Distributor (ACD) system. Any other brand name software or hardware is unable to integrate with the currently fielded software and

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Cisco UCCX ACD system. Additionally, no other brand name software will be interoperable or compatible with the currently fielded Cisco UCCX ACD system and Cisco UCCX brand name software. Specifically, the current system communicates through a source code that is based on Cisco proprietary data. No other software can provide this communication capability without this source code. The Cisco UCCX ACD system requires Cisco UCCX user licenses to expand the number of users on the system, no other brand name of licenses can be added to the system. Without device interoperability, the devices would not perform their intended functions, which would cause voice network delays and issues, leading to work stoppages and an erosion of patient care, jeopardizing VA's overall mission to serve Veterans. In order to maintain compatibility and reliability, the telecommunications hardware/software must be fully compatible with the existing infrastructure. The brand name, Cisco telecommunication systems hardware/software are the only products that ensure full interoperability and compatibility with NSD's current telecommunication infrastructure and thus are the only commercial products available to meet the Government's requirement. Telecommunication voice and data services are considered mission critical. In the event the Cisco telecommunications systems were to become inoperable, it would pose a significant risk to NSD, rendering them unable to communicate and fully perform their business and mission.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. It was determined; however, that limited competition is viable among authorized resellers for this brand name item. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsisized on the Federal Business Opportunities Page (FBO) and the justification will be made publicly available within 14 days of award.

7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be fully competed.

8. Market Research: Market research was conducted in March 2014 by researching other hardware/software similar to the aforementioned brand name, Cisco hardware/software. Siemens, Avaya, NEC, and Apropos were the only other brand names with similar capabilities. However, no other product could satisfy VA requirements to integrate into the existing Cisco telecommunications infrastructure. Siemens, Avaya, NEC, and Apropos brand name telecommunications hardware/software are not able to integrate with the currently fielded brand name, Cisco telecommunication systems and infrastructure. Specifically, the infrastructure of NSD's current telecommunication systems communicates through a source code that is based on Cisco's proprietary data. No other manufacturer can provide seamless and full communication capability without the Cisco proprietary source code. The absence of this proprietary source code would result in device inoperability. Without device interoperability, the devices would not perform their intended functions, which would cause voice network delays and issues, leading to work stoppages and an erosion of

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patient care jeopardizing VA's overall mission to serve Veterans. Additionally, other ACD systems do not have the capability of Voice Over Internet Protocol (VOIP) which is needed for the geographically dispersed service desks. Based on market research efforts, the Government's technical experts have determined that only Cisco brand name hardware/software and associated maintenance can meet all of VA's needs. In addition, market research efforts were conducted during the second quarter of Fiscal Year 2014 utilizing the Product Verification Tool via NASA SEWP IV GWAC, to ascertain the extent of limited competition amongst Cisco resellers. Based on these efforts it was determined that there are various authorized resellers and limited competition is anticipated.

9. Other Facts: None.

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

Tim Hendricks

Date: 3/31/2014

Supervisory IT Specialist

Signature: tim.hendricks@va.gov

Digitally signed by tim.hendricks@va.gov
DN: cn=tim.hendricks@va.gov
Date: 2014.03.31 13:42:57 -05'00'

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable. Contracts awarded on NASA SEWP IV contract have already been determined to be fair and reasonable. As there are 34 potential vendors on NASA SEWP IV contract, price competition is anticipated. Finally, the successful quote will be compared to the Independent Government Cost Estimate.

Iris Farrell

Date: 3/31/2014

Procuring Contracting Officer

Signature: Iris Farrell

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$650,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

Iris Farrell

Date: 3/31/2014

Procuring Contracting Officer

Signature: Iris Farrell