

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
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 AppDetective Pro software licenses. The period of performance for this action is four years, consisting of a 12-month base period to acquire the unlimited license with three, 12-month option periods to be exercised at the Government's discretion for associated maintenance and upgrades.

3. Description of the Supplies or Services: The proposed action is for brand name AppDetective Pro user licenses. The software licenses are required by VA Chief Information Officer (CIO) and the Office of Information Security (OIS). The aforementioned software is an auditing tool that provides a standalone auditor version to assess various databases and allows for unlimited database scanning. This tool is required to allow VA Network Security Operations Center (NSOC) to assess the estimated 3,500 databases throughout VA for material weaknesses and violations of Office of Inspector General (OIG) compliance measures and Federal Information Security Management Act (FISMA) measures. The total price of the proposed action is inclusive of option periods.

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 market research, as described in paragraph eight of this document, it was determined that limited competition is available among authorized resellers for brand name AppDetective Pro software licenses. This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. AppDetective Pro is the only software that can provide the same assessments conducted by VA OIG which includes: safe penetration tests; data security scanning discovery, assessment, and reporting on the security posture, risk profile, and compliance status; results presented with assessment results for a complete report; and meets common vulnerabilities and exposures (CVE) compatibility requirements. Additionally, no other software will be interoperable or compatible with the currently fielded AppDetective Pro within VA OIG. Specifically, the current software communicates through a source code that is based on AppDetective Pro proprietary data. No other software can provide this communication capability without this source

code. In order to maintain compatibility and reliability, the software must be fully compatible with the existing, currently fielded software. The brand name AppDetective Pro software is the only software that will allow for unlimited auditing and assessment of databases and is currently used by VA OIG.

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 a brand name item. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsisized at award 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: AppDetective Pro is a commercial off-the-shelf (COTS) software package currently in use on other projects within VA. When conducting market research in May 2014, the Government's technical experts researched a software tool that is: currently used and endorsed by the VA OIG; can scan data to be imported into the NSOC DBProtect platform; support currently fielded databases; can provide common criteria evaluation and validation schemes; and is able to be integrated with existing VA technologies. Other software products were evaluated during market research (i.e. Scuba by Imperva Database Vulnerability Scanner (Scuba), McAfee Security Scanner for Databases (McAfee), Vulnerability Assessment with SAINT Scanner (SAINT), and IBM InfoSphere Guardium Vulnerability Assessment (IBM)). Scuba is not currently used and endorsed by VA OIG, is unable to have scan data imported in the NSOC DBProtect platform, does not offer common criteria evaluation and validation scheme, and is unable to be integrated with existing VA technologies. McAfee is not currently used and endorsed by VA OIG, is unable to have scan data imported in the NSOC DBProtect platform, and does not offer common criteria evaluation and validation scheme. SAINT is not currently used and endorsed by VA OIG, is unable to have scan data imported in the NSOC DBProtect platform, does not offer common criteria evaluation and validation scheme, and is unable to be integrated with existing VA technologies. IBM is not currently used and endorsed by VA OIG, is unable to have scan data imported in the NSOC DBProtect platform, and is unable to be integrated with existing VA technologies. AppDetective Pro is the only software capable of fulfilling the Government's requirements at this time while meeting the compatibility/interoperability requirements allowing them to work with existing, fielded software packages. In addition, AppDetective Pro supports more types of databases. Based on the above, only AppDetective Pro meets all of the Government's requirements.

9. Other Facts: None.