

## 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 to acquire brand name Aternity, Inc. (Aternity) Frontline Performance Intelligence (FPI) licences under a firm-fixed-price delivery order to be issued against the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Governmentwide Acquisition Contract (GWAC). The proposed delivery order will also include maintenance services.
  
3. Description of Supplies or Services: VA, Office of Information and Technology (OI&T), Service Delivery and Engineering (SDE), Enterprise Operations (EO) requires 4,000 Aternity FPI Platform licenses and one year of software maintenance support for these licenses. The Aternity FPI Platform is a desktop agent approach to Real End User Experience management. This is achieved by uniquely monitoring, aggregating, analyzing, and correlating all metrics associated with three components (Application, Desktop, and User Performance) that constantly interact to both define and impact end user experience. The Aternity FPI Platform provides precise insights into how applications are used, enabling organizations to understand the usage trends and trails of their users, the number of business processes executed, and the details of any usability issues.  
  
VA has long struggled with correlating end user experience on VA Intranet applications with the performance metrics obtained from backend monitoring of the application, application servers, and databases. Recently, this has become a critical issue for the Veterans Benefits Management System. Without actual monitoring of application performance on the desktop, OI&T and the National Service Desk (NSD) are currently unable to proactively monitor end user issues. The acquisition of the Aternity FPI Platform licenses will resolve this issue by providing the capability to monitor the actual experience of the user on a workstation on a "per application" specific basis. OI&T and the NSD would be immediately aware of end user issues and be able to correlate that to the information technology infrastructure and any associated service degradation. The maintenance services are required to ensure that the software remains operational by providing product updates and bug fixes. The period of performance for this acquisition is 12 months. The total estimated price of the proposed action is [REDACTED]
  
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) 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: This is a brand name justification in accordance with FAR 11.105, Items Peculiar to One Manufacturer. Based on extensive market research, as described in section 8 of this justification, it was determined that limited competition is available for Aternity FPI brand name software licenses and associated maintenance. This procurement supports expansion of VA's existing FPI Platform infrastructure, which consists solely of Aternity FPI Platform licenses. The Aternity FPI Platform is the only software in the application monitoring marketplace that can meet VA's requirements for monitoring end-user experience on a per custom application and custom transaction basis, while at the same time, monitoring and relating the end users' desktop hardware performance to instances of application performance degradation. KNOA Software, Inc. (KNOA) is the only other software that provides similar application monitoring software; however, KNOA's product is designed to work with Systems, Applications & Products in Data Processing (SAP SE) systems, which are not used by OI&T. VA's systems are stand-alone custom applications running on Apache Web Server, WebLogic, WebSphere or Internet Information Server. Therefore, KNOA's software cannot support VA's non-SAP SE systems.

In addition, a prior implementation of Aternity FPI platform licenses already exists in EO. Acquisition of different licenses, even if another product existed with capabilities that met VA's requirements for desktop monitoring, would require a completely separate infrastructure to support a new software product. No other licenses are compatible or interoperable with the existing Aternity infrastructure due to Aternity's proprietary source code and application programming interfaces. The Contract Specialist contacted Aternity, Inc. on March 4, 2015, to inquire whether Aternity's source code was for sale. Aternity confirmed that the FPI source code is proprietary and not for sale. Therefore, the Aternity FPI platform software is the only product currently capable of meeting VA's requirements, as no other product is capable of monitoring VA's full suite of applications on user desktops.

6. Efforts to Obtain Competition: Market research was conducted in August 2014, details of which are in section 8 of this justification. This effort did not yield any additional sources that can meet the Government's requirements. Although the Government is limiting competition as a result of specifying brand name software, there are multiple authorized resellers of the required licenses and maintenance on the NASA SEWP IV GWAC. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action will be synopsisized and the justification will be made publicly available on the Federal Business Opportunities Page within 14 days after award.

7. Actions to Increase Competition: To remove or overcome barriers to competition in future acquisitions for this requirement, the agency will continue to perform market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.

8. Market Research: In August 2014, the Government's technical experts reviewed similar software products to ascertain if they could meet VA's requirements. The

Government's technical experts utilized numerous publications, to include Forrester Research and Gartner Research, and conducted Web-based research on technical monitoring websites and forums related to desktop side monitoring to identify potential software solutions. Of the products that were reviewed, Aternity and KNOA, only the Aternity FPI platform is capable of meeting the Government's requirements for desktop application monitoring of user experience on a per application and per transaction basis. KNOA's software cannot provide the monitoring required for the applications used by VA, because KNOA's software is designed to work with SAP SE systems, which are not used by OI&T. Additionally, the KNOA software is not compatible or interoperable with the existing Aternity FPI Platform license infrastructure. Therefore, only Aternity FPI software is capable of meeting the Government's requirements.

Additional market research was conducted by issuing a Request for Information (RFI) on NASA SEWP IV website to determine the number of potential resellers of the required Aternity FPI Platform licenses and maintenance. Based on responses to the RFI, the Government's technical experts identified three resellers capable of providing the required Aternity FPI licenses and maintenance. Therefore, limited competition is anticipated for this acquisition.

9. Other Facts: None.