

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, NJ 07724
2. Description of Action: This proposed action is for a firm-fixed price delivery order (DO) issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Governmentwide Acquisition Contract (GWAC). Limited competition is anticipated for this effort due to numerous resellers for the required brand name Red Hat Enterprise Linux software and associated maintenance to meet the Government's needs.
3. Description of Supplies or Services: VA, Office of Information and Technology, Service Delivery and Engineering, Enterprise Operations (EO) has a requirement for brand name RHEL software and associated maintenance for Austin Information Technology Center (AITC) Enterprise Class (EC) 12 Service Center upgrade. The AITC EC 12 Service Center upgrade will provide the additional capacity needed to create additional virtual servers and to support growth of existing virtual servers. The current system is at capacity and cannot support the expected growth for the immediate future. The period of performance is 12 months for software maintenance, inclusive of software delivery within 30 days after DO award. The total price of the proposed action is \$
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is Section 41 U.S.C 4106(c)(2) as implemented by Federal Acquisition Regulation (FAR) Paragraph 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: Based on extensive market research, as described in paragraph 8 of this document, it was determined that limited competition is available among authorized resellers for the brand name RHEL software and associated maintenance. This is a brand name justification in accordance with FAR 11.105, Items Peculiar to One Manufacturer. RHEL is the only brand name software that meets VA's requirements for creating virtual servers which include the need to consolidate hundreds of servers on to one server, conserve computer room space, electricity, cables, and complexity and help prevent server sprawl.

Acquisition of a different software, even if another one existed with qualifications that met VA's stated functional requirements, would require a completely separate infrastructure to support the existing application due to RHEL proprietary database structures, protocols and software application programming interfaces. This would multiply the support costs for the implementation of virtual servers. No other software is compatible or interoperable with the existing RHEL infrastructure due to RHEL's proprietary software interfaces. This lack of interoperability, such as the ability of a different vendor's software to be used in another vendor's software, is standard throughout the industry. No other brand name is compatible with the software required to expand the capacity of AITC EC 12 Service Center and meet the Government's requirements.

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 procurement. In accordance with FAR 5.301 this effort is not required to be posted after contract award since the value of the effort is below the simplified acquisition threshold. This justification will be posted to the NASA SEWP IV GWAC site with the solicitation.
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: Brand name RHEL and associated maintenance are commercially available off-the-shelf virtual server packages currently in use at VA. When conducting market research in December of 2014, the Government's technical experts reviewed similar platforms to ascertain if these items could meet EO's requirements. Specifically, the Government's technical experts reviewed similar companies/organizations, such as VMware, Sun, Oracle, and Kernal Virtual Machine (KVM) in the virtual server area. In addition, the Government's technical experts researched Forrester Research, Gartner Research, and conducted research on virtual server websites and web-based forums related to virtual server requirements/needs stated in paragraph 5 to identify potential virtual server solutions that could meet the Government's requirements. All of the platforms researched (VMware, Sun, Oracle, and KVM plus other research firm cited products) were unable to meet the unique functional requirements running on an RHEL infrastructure. All of the other platforms researched could not virtualize and consolidate hundreds of servers on to one server, conserve computer room space, electricity, cables, and complexity and help prevent server sprawl, all of which are mandatory requirements for this acquisition and no other product other than RHEL was able to meet these unique, mandatory requirements.

No other software is compatible with or interoperable with the existing RHEL infrastructure due to RHEL proprietary database structures, protocols and software application programming interfaces. This lack of interoperability, such as the ability of a different vendor's agent to communicate with another vendor's source code, is standard throughout the performance software industry. Additionally, RHEL is the only brand of Linux that is approved by VA's Technical Reference Model. Other brands of Linux are not approved to run on VA hardware. Based on the above, only RHEL software meets all of the Government's requirements.

Additional market research was conducted in April 2015 by utilizing the Quick Request for Information (RFI) tool on the NASA SEWP IV GWAC website. The Quick RFI tool yielded the following responses: two from Group A, Value Added Resellers (VAR) and Computer Systems Original Equipment Manufacturers; two from Group B Service-Disabled Veteran-Owned Small Businesses; three from Group C, Small Businesses; and zero from Group D, VAR.

9. Other Facts: None.