

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 will limit competition for the award of a firm-fixed-price delivery order under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC) to authorized resellers of Trustwave Holdings, Inc. (hereinafter referred to as Trustwave) brand name AppDetectivePro (ADP) software unlimited user license and software subscription and support.

3. Description of Supplies or Services: VA, Office of Information and Technology, Office of Information Security, Network Security Operations Center (NSOC) has a requirement for the procurement of an unlimited user license for Trustwave's brand name ADP Vulnerability Assessment software, as well as software subscription and support for that license. ADP is a database auditing tool that provides a standalone and/or auditor version to assess various databases. VA NSOC requires a database scanning license for an unlimited number of users to assess all Office of the Inspector General (OIG) and Federal Information Security Management Act audit sites and to assess other databases as necessary. This tool will directly impact remediation of ongoing material weaknesses and vulnerabilities for approximately 3,500 databases throughout VA to improve the security of the database structures and all data.

In addition, the brand name software subscription and support shall include technical support on a 24/7 basis including online (web and email) technical support assistance, as well troubleshooting, software updates, fixes, and patches. The Trustwave brand name ADP software unlimited user license shall be delivered within 30 days of receipt of processing of the delivery order. The period of performance for the software subscription and support shall consist of one 12-month base period, with three 12-month option periods for continued software subscription and support. The total estimated price of the proposed action (inclusive of three 12-month option periods) is [REDACTED]

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) 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 Above: This is a brand name justification in accordance with FAR 11.105, Items Peculiar to One Manufacturer. Based on market research, as described in section 8 of this justification, it was determined that limited competition is viable among authorized resellers for one brand name ADP software unlimited user license and associated software subscription and support. ADP is the only software that can provide the same assessments conducted by 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 compatibility requirements. Additionally, no other software will be interoperable or compatible with the currently fielded ADP within OIG. In addition, Trustwave owns all proprietary programming language and intellectual property associated with its ADP software. There is no support or resale of this ADP software outside of Trustwave and its resellers; therefore, only Trustwave or its authorized resellers can provide this software license and associated software subscription and support. In order for NSOC to maintain compatibility and reliability in conducting database scans and associated testing, the software must be fully compatible with the existing fielded ADP software. The brand name ADP software is the only software that will allow for unlimited auditing and assessment of databases and is currently used by OIG. Failure to acquire the aforementioned brand name software license will result in VA NSOC being unable to conduct the most efficient testing possible when conducting database scans and could expose VA to great security risk and possible attacks by external entities.
6. Efforts to Obtain Competition: Market research was conducted, 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. It was determined however that limited competition is viable among authorized resellers for the Trustwave brand name ADP software license and software subscription and support. In accordance with FAR 16.505(a)(4)(iii)(A)(2), this justification will be provided with the solicitation to all appropriate NASA SEWP V GWAC holders. Furthermore, in accordance with FAR 5.301 and FAR 16.505(b)(2)(ii)(D), notice of award of this action will be synopsisized on the Federal Business Opportunities website and this 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 market place that would enable future actions to be competed.
8. Market Research: Market research was conducted in March 2015 to ascertain the ability of any other source other than Trustwave or its authorized resellers to provide the aforementioned brand name ADP software and associated software subscription and support. [REDACTED]

[REDACTED]

[REDACTED] Other software products were reviewed (i.e. Scuba by Imperva Database Vulnerability Scanner, McAfee Security Scanner for Databases, Vulnerability Assessment with Security Administrator's Integrated Network Tool (SAINT) Scanner, and International Business Machines (IBM) InfoSphere Guardium Vulnerability Assessment). Based on the reviews, Scuba is not currently used and endorsed by 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 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 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. InfoSphere Guardium Vulnerability Assessment is not currently used and endorsed by OIG, is unable to have scan data imported in the NSOC DBProtect platform, and is unable to be integrated with existing VA technologies. Trustwave's brand name ADP is the only software capable of fulfilling the Government's requirements at this time while meeting the compatibility/interoperability requirements allowing it to work with existing, fielded NSOC software packages. In addition, VA's technical experts also could not find any other sources that could provide the aforementioned software license and software subscription and support without access to the proprietary technical data for the Trustwave ADP software. Unauthorized software providers do not have access to the proprietary data of the software to be able to provide troubleshooting, updates, fixes, patches, and upgrades.

9. Other Facts: [REDACTED]

[REDACTED]