

## 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 brand name firm-fixed price delivery order issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC).

3. Description of Supplies or Services: The Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) Waco, Texas (TX) Regional Office (RO) has a requirement for brand name Cisco Voice over Internet Protocol (VoIP) software and support services along with brand name Cisco Configuration Management Database (CMDB) to store configuration records, hardware and firmware release information, software release information, configuration for all managed licenses, device-level entitlements, and remote backups of supported products prior to any configuration changes taking place. Additionally, the Contractor shall provide brand name Cisco support to include access to developed software and firmware fixes software transition on boarding service, Virtual Private Network connectivity management, and Cisco Unified Communications Licensing Portfolio licensing and software for Cisco Unified Communications 9.1.2-SU3, Cisco Unified Communications Software Subscription, Cisco User Connect Licensing, Cisco Unified Workspace Licensing, and Cisco Software Support Service. The period of performance is three months after receipt of order and 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 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 Above: Based on market research, as described in section eight of this document, it was determined that limited competition is available for the aforementioned brand name Cisco VoIP software, services and CMDB. The required Cisco VoIP software, services and CMDB provide a unique solution that is the only solution compatible with the existing Cisco system and with current business needs. Cisco software has been installed and in use since 2014 within VBA WACO, TX RO. High quality, effective, and efficient Information Technology (IT) services within VBA Waco, TX RO is critical for Veterans benefits and services. The Cisco software is a foundational component which enables VBA WACO, TX RO to have an operational unified communication system. It is a building block that enables these systems to avoid major Veteran point of contact issues. If a different manufacturer's

software or configuration management product were chosen it would cause interoperability issues with the VBA's existing Cisco Unified Communications System. Failure to obtain the aforementioned, software, services and CMDB will have a direct and significant negative impact for VA. The entire VBA RO system will immediately become inoperable and unable to be restored without the procurement of the required Cisco software and services. This would be especially detrimental during emergency situations. Based on the above, Cisco software, services and CMDB are the only items that are compatible and interoperable with VBA Waco, TX RO's existing Unified Communications System infrastructure that supports critical functions for the nation's Veterans.

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, other than authorized resellers, that can meet the Government's requirements. It was determined, however, that limited competition is anticipated for the required Cisco equipment, products and services. 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 within 14 days of award on the Federal Business Opportunities Page. Additionally, in accordance with FAR 16.505(a)(4)(iii)(A)(2) the justification and supporting documentation shall be provided along with the solicitation to all contract awardees.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, 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 July 2015 by Government telecommunication subject matter experts (SMEs) to ascertain the ability of other similar VoIP software and configuration management products to meet the VBA Waco, TX RO requirements as described above. The SMEs reviewed VoIP software and configuration management products from Avaya and Tadiran. Based on this review, the SMEs determined that the Avaya and Tadiran VoIP software is not interoperable and not compatible with the Waco, TX RO existing system and with current business needs as described above. Specifically, Avaya and Tadiran VoIP software could not replicate all the VoIP functional requirements which already exist in the Waco, TX RO VoIP software due to CISCO's proprietary source code. Using another brand with the existing CISCO VoIP system would cause interoperability and compatibility issues described above in section 5 of this justification. In August 2015, additional market research was conducted on the NASA SEWP V GWAC which found that numerous resellers of the product/services were available.

9. Other Facts: N/A

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.

[REDACTED]

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

[REDACTED]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this does not exceed \$650,000.00, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

[REDACTED]