

## JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition and Logistics  
Technology Acquisition Center  
260 Industrial Way West  
Eatontown, New Jersey 07724
2. Description of the Action: The proposed action is for the procurement of Operations, Maintenance, Administration, Provisioning, and Repair (OMAPR) services for the Enterprise Voice System (EVS) Proof of Concept sites, which may include support for the migration of services to new EVS expansion sites and continuing OMAPR support for new sites. In support of this effort the Government requires brand name South River Technologies, Titan File Secure Transfer Protocol (SFTP) Server software licenses and maintenance support. This requirement will be solicited on the Transformation Twenty-One Total Technology (T4) Indefinite Delivery Indefinite Quantity (IDIQ) contract vehicle.
3. Description of Supplies or Services: The Office of Information and Technology (OI&T), Service Delivery and Engineering (SDE), Enterprise Systems Engineering (ESE), and Office of Information Security (OIS) requires the procurement of South River Technologies, Titan SFTP Server licenses and maintenance support for use on Cisco Unified Communications Servers (UCS) to implement backup, Call Detail Record (CDR) storage, and file sharing between other VA Network Monitoring Systems (NMS) for the Enterprise Voice System within the VA. The total estimated price of the required licenses is [REDACTED] inclusive of all option periods. The period of performance for this effort is 12 months from date of award with four 12-month option periods.
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is 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 Above: Cisco only certifies four SFTP packages, requiring use of one of them as a condition of providing support to their UC infrastructure applications. Of the four certified SFTP packages, Titan SFTP is the only one approved in the OneVA Technical Reference Model (TRM) which has full manufacturer support. Specifically, EVS requires core services which include dedicated technical support representatives and subject matter experts to support and assist EVS in operation, management, implementation and use of South River Technologies Titan SFTP Server required as the platform to interface with core EVS Applications. This software licensing and support will ensure the currently fielded software remains operational and secure. The EVS implementation is mission

critical, and CDR Storage (for 3 years) is federally mandated by OI&T Records Control Schedule 005-1 dated August 3, 2009.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. Competition is not anticipated for this required brand name item.
7. Actions to Increase Competition: In future acquisitions for this requirement, the agency will work with the program office to perform additional market research so that other possible solutions can be considered. If other products become available that meet compatibility requirements with the existing hardware, solicitations for future requirements will utilize "brand name or equal" language, if it is in the Government's best interest to do so. In accordance with FAR 5.202(a)(6), this effort is exempt from synopsis since the proposed contract action is an order placed under an existing Indefinite Delivery/Indefinite Quantity (ID/IQ) contract.
8. Market Research: Market research was conducted in September, 2015 to determine if any other SFTP Server meets the Government's requirements by conducting a search on Cisco's website for the recommended SFTP servers to use in support of Cisco Unified manager. While four SFTP servers were identified: Open SSH (for Unix Systems), Cygwin, Titan and GlobalSCAPE EFT Server as the only SFTP servers certified by Cisco through its Cisco Technology Developer Partner program. Use of one of the four above mentioned SFTP products is required by Cisco as a condition for providing support to its UC infrastructure applications. Additionally, On September 2, 2015, the Contract Specialist, Derek Maselli, conducted a search of the TRM for the four Cisco certified SFTP servers. Only Titan and Cygwin were found on the TRM and therefore considered appropriate for use by VA. Further research by Norman Porter revealed that only the RedHat version of the Cygwin application is authorized in TRM due to the requirement to maintain software support. The RedHat version support data sheet does not list SFTP as a fully supported Cygwin package by RedHat which leaves Cygwin SFTP as being either partially supported or not supported by RedHat. The risk of Cygwin SFTP being unsupported leaves the only product fully supported by the manufacturer and certified by Cisco to be South River Technologies, Titan SFTP Server.
9. Other Facts Supporting the Justification: None