

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 delivery order to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V, Governmentwide Acquisition Contract (GWAC) for the procurement of brand name Cisco network switch modules.

3. Description of the Supplies or Services: The proposed action is to acquire brand name Cisco modules to populate an existing Cisco 6509-E Network Core Switch. The Cisco modules are required to expand the Cisco 6509-E Network Core Switch's processing capacity, which is necessary to support four new buildings being activated at the Martinsburg, West Virginia VA Medical Center (VAMC). The modules will be used to increase capacity processing without the need to replace the existing core switch and network infrastructure, which includes CISCO 6500-E series chassis with support for a Cisco Virtual Switching System. The period of performance for delivery shall be 30 days after award of the delivery order. The total estimated value of the proposed action 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 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: 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 document, it's been determined that limited competition is available for the required brand name Cisco modules among authorized resellers. While market research indicated that other manufacturers produce modules that would physically fit in the existing Cisco 6509-E Network Core Switch, none of those other modules are capable of meeting the Government's requirement to be fully compatible with the existing Cisco 6509-E Network Core Switch. Due to Cisco's proprietary hardware coding, only Cisco modules are interoperable with the existing Cisco network switching infrastructure. As a result, any module, other than those manufactured by Cisco, would not be interoperable with critical components of the Cisco 6509-E Network Core Switch, to include its built-in power supply redundancy and connectivity thereby leading to equipment failure. Therefore, only Cisco brand name modules are fully compatible and interoperable with the existing Cisco 6509-E Network Core Switch. Without this expanded capability the Service Delivery and Engineering Region 4 Field Office would be unable to provide the necessary connectivity to support the medical center network expansion.

6. Efforts to Obtain Competition: Market research was conducted in March 2015, details of which are in the market research section of this document. This effort did not yield any additional sources that could meet the Government's technical requirements. Although the Government is limiting competition as a result of specifying brand name Cisco modules there are multiple resellers of these products that hold current NASA SEWP V GWACs. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D)(2)(i), this action will be synopsisized and this justification will be made available within 14 days of award on the Federal Business Opportunities Page. In addition, in accordance with 16.505 (a)(4)(iii)(A), this justification will be posted to NASA SEWP V website with the solicitation.

7. Actions to Increase Competition: In order 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 market place that would enable future actions to be competed.

8. Market Research: Market research was conducted in March 2015 by the Government's team of technical experts consisting of Devon Beard, Information Technology (IT) Specialist; Bradley Lineburg, IT Specialist; Anthony Coulter, Supervisory IT Specialist; William Fox, IT Specialist; and David Ostlund, Supervisory IT Specialist. The technical experts spoke to numerous VA subject matter experts including Roderick Dotson, Supervisor Region 4 Local Area Networks, as well as Original Equipment Manufacturers and resellers including Cisco, Red River Computer Company, World Wide Technologies, Iron Bow, Dell, International Business Machines, Ascertia, and Operational Resource Consultants. All experts indicated that there were no other manufacturers who could meet the requirements for operational compatibility with the existing switch chassis equipment and software compatibility since Cisco utilizes proprietary software. Additionally, VA networking Subject Matter Experts regularly review industry trade publications and conduct internet research to ascertain if any other brand name hardware is available and capable of meeting the requirements associated with this acquisition; however, no products other than the Cisco modules were deemed capable of meeting the requirements. Therefore, the team of technical experts concluded that only Cisco brand name modules are fully compatible and interoperable with the existing Cisco 6509-E Network Core Switch. Additional market research was conducted by Michael Brill, Contract Specialist, in July 2015 using the NASA SEWP V Provider Lookup tool. This search indicated that there are numerous NASA SEWP V GWAC holders that offer the required Cisco modules, to include eight Service-Disabled Veteran-Owned GWAC holders.

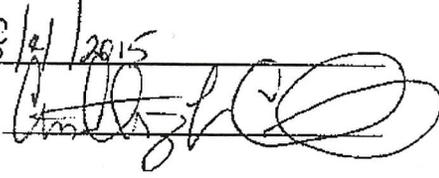
9. Other Facts: None.

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.

Anthony Coulter

Date: 8/4/2015

Supervisor IT Specialist

Signature: 

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based upon anticipated price competition among NASA SEWP V GWAC holders. Additionally, NASA SEWP has already determined that the prices on contract are fair and reasonable. Finally, price analysis shall be conducted by comparing the successful quote to the Independent Government Cost Estimate.

Robert Kirzow

Date: 8/5/2015

Procuring Contracting Officer

Signature: 

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$650,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

Robert Kirzow

Date: 8/5/2015

Procuring Contracting Officer

Signature: 