

JUSTIFICATION AND APPROVAL
FOR EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs
Office of Acquisition and Logistics
Center for Acquisition Innovation-Austin
1701 Directors Blvd., Suite 600
Austin, Texas 78744
2. Description of Action: This proposed action is for a Firm-Fixed-Price Delivery Order (DO) to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC) to provide American Power Conversion (APC) InfraStruXure (ISX) Central Console hardware and software maintenance and technical support services for the Department of Veterans Affairs (VA) Network Security & Operations Center (NSOC). The anticipated period of performance will consist of a twelve month base period and three (3) twelve-month option periods for maintenance and technical support.
3. Description of Supplies or Services: The proposed action will provide co-terminous hardware/software maintenance and mirrored licensing maintenance on APC ISX infrastructure devices. The VA-NSOC provides centralized command and control functionality for VA's Enterprise Network. This includes monitoring all network and APC ISX devices on VA's Enterprise Network and the four (4) One-VA Internet Gateways. The VA-NSOC currently has over 500 APC ISX managed devices. This procurement will allow the VA-NSOC to continue monitoring its APC ISX devices. Hardware/software maintenance support will allow for remedying hardware and software defects as well as enhancing and optimizing software; it includes all new fixes, patches, corrections, releases, updates, versions and upgrades to the software. Technical support consists of a range of services providing 24x7x365 assistance for the hardware and software via telephone, e-mail, Website, or otherwise. This will ensure the appliances remain operational. The total estimated price of the proposed action, inclusive of the option periods, is [REDACTED].
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is Federal Acquisition Regulation (FAR) Subpart 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 extensive market research, as described in paragraph 8 of this document, it was determined that limited competition is available for the aforementioned brand name appliance maintenance and support. VA's Enterprise Network is accredited in accordance with the Federal Information Security Management Act of 2002. APC only permits

APC authorized resellers to provide hardware/software maintenance and support of its products due to the complex and proprietary nature of the data involved. Therefore, any vendor that is not capable of providing APC authorized maintenance and support shall impose significant risk to the Government as unauthorized vendors will not have access to APC proprietary data, including patches and updates. Additionally, VA has invested more than \$300,000.00 in the purchase and implementation of APC ISX hardware and software that has not reached end of life, making it cost prohibitive for VA to consider the procurement of other branded equipment.

6. Efforts to Obtain Competition: Market research was conducted, the details of which are in Section 8 of this document. Limited competition is anticipated for the required brand name maintenance and support. Furthermore, in accordance with FAR 5.3, the contract award will be synopsisized on the Federal Business Opportunities (FBO) Page. In addition, this Justification and Approval (J&A) will be made publicly available on the FBO Page.
7. Actions to Increase Competition: Although the Government is limiting competition as a result of specifying brand name maintenance and support, there are multiple authorized resellers of the brand name items on the NASA SEWP IV GWAC. Limited competition among these vendors is anticipated. Additionally, this Justification & Approval and the Request for Quotation will be submitted to all four NASA SEWP IV GWAC groups in order to fully notify all interested parties. Any quotations received will be evaluated.
8. Market Research: The Government's technical experts have found that APC ISX brand name maintenance and support is the only maintenance and support solution capable of supporting VA's infrastructure. Specifically, in June 2011 the Government's technical experts from the VA-NSOC researched the marketplace to determine if any other brand name items could meet VA's requirements. The marketplace indicated vendors from Liebert Site Scan, Aperture, HP Openview, Pelco and Powerware could provide portions of the ISX infrastructure solution, but there are no competitors capable of providing all of the components found in VA-NSOCs current ISX infrastructure solution such as Simple Network Monitoring Protocol monitoring, video surveillance monitoring, mass configuration, environmental monitoring, power monitoring and power capacity planning. The VA-NSOC technical experts concluded that the expenditure required to implement a new solution is cost prohibitive and that APC ISX brand name maintenance and support is the only acceptable and suitable solution that will accommodate supporting VA's existing infrastructure. Additionally, on March 29, 2011, VA-NSOC issued a Request for Information to the four NASA SEWP IV GWAC groups to determine if more than one contractor was capable of providing the required maintenance and support for VA's APC ISX equipment and licenses. The results of the market research indicated that there were six (6) interested contractors capable of providing the

required APC ISX maintenance and support. Therefore, limited competition is anticipated for this proposed action.

9. Other facts supporting the use of other than full and open competition: None.