

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 firm-fixed-price delivery order (DO) to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC).
3. Description of the Supplies or Services: The proposed action is for Cisco Systems (Cisco) hardware consisting of: voice over internet protocol (VoIP) telephones and associated hardware; Cisco voice gateways; Cisco integrated service routers; and Cisco American Power Conversion Smart uninterruptable power supplies. The period of performance is 30 days after DO award. The total estimated price for this action is \$xxxxx.
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: Based on extensive market research, as described in section 8 of this justification, limited competition is available among authorized resellers for the aforementioned Cisco hardware. Cisco is the original equipment manufacturer (OEM) for the aforementioned hardware, and only Cisco products are capable of meeting the Government's requirement. Telephony devices, which are multi-functional, as an industry practice, are proprietary to each OEM. Each OEM telephony devices communicate through source codes and utilizes hardware interfaces based on its respective proprietary design. The absence of the proprietary source codes would result in device inoperability and prevent the telephony devices to perform its intended function which would cause voice network delays, packet loss, and dead air leading to work stoppages and interruption which would negatively impact the care provided to Veterans. The aforementioned Cisco hardware is the only hardware that will allow the use of media gateway control protocols which is a Cisco protocol that allows the call manager clusters to interact with the existing infrastructure routers and voice gateways. The aforementioned Cisco hardware is the only hardware that will provide all the features and functions for the Cisco call manager clusters. The use of any other hardware will not be able to fully integrate with the currently fielded Cisco infrastructure. VA has a significant investment in the existing infrastructure

protocols in Region 1, including Cisco router/switch technology currently implemented. There are currently hundreds of Cisco servers, routers, switches, and other voice infrastructure in use at the Region 1 as well as each Healthcare System that Region 1 supports. Replacing the existing infrastructure with another hardware would duplicate the costs and man hours already expended. In addition, use of any other equipment other than Cisco will result in interoperability and compatibility issues. Specifically, the Cisco infrastructure uses Hot Standby Router Protocol (HSRP), which is a proprietary redundancy protocol for establishing a fault tolerant default gateway, and which is used if the primary gateway should become inaccessible. HSRP requires two Cisco routers to transfer information and it is not compatible with other hardware. Cisco equipment is the only VoIP and voice routing infrastructure that will provide uninterrupted access, maximum interoperability, and ease of scalability with the existing deployed platform.

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 that can meet the Government's requirements. It was determined however that limited competition is viable among authorized resellers of Cisco hardware. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action will be synopsisized at award on the Federal Business Opportunities Page within 14 days after award. In addition, this justification will be posted with the solicitation to notify all NASA SEWP V GWAC vendors.
7. Actions to Increase Competition: The Cisco VOIP solution is currently in place. In the event, the Government decides to replace its overall VOIP solution in the future, the Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be fully competed
8. Market Research: The Government's technical team conducted market research in January 2016 by reviewing other similar VOIP hardware. The Government's technical team determined that the aforementioned Cisco VoIP telephones and associated hardware are the only products available that will provide all the features and functions for the call manager clusters. Any other product will not be able to be interoperable and be able fully integrate with the currently fielded telecommunications infrastructure. No other hardware is compatible with or interoperable with the existing Cisco infrastructure due to Cisco's proprietary codes in the native format and syntax without modifications to the existing VA infrastructure architecture. Although other vendors possess similar capabilities to provide the required hardware, only Cisco or an authorized reseller has access to the proprietary structure, protocols, and hardware interfaces. Alternative products are not compatible or interoperable with the existing Cisco infrastructure. Specifically, in April 2015, the Government's technical team conducted an internet search of similar hardware to determine if any other OEM products could meet VA's functionality requirements. Based on the market research, the Government's technical team determined that the alternative hardware products (i.e. Blackbox, Brocade) would not communicate with VA's existing infrastructure because the competing protocols

are not interoperable or compatible with VA's existing network infrastructure. VA networking Subject Matter Experts regularly review industry trade publications and conduct internet research to ascertain if any other OEM hardware is available. Based on the market research, the technical experts concluded that Cisco hardware is the only commercially available hardware compatible with VA's current infrastructure. Based on the above, only Cisco hardware is compatible with the existing infrastructure throughout Region 1.

Additional market research was performed in July 2015 utilizing the NASA SEWP V GWAC Provider Lookup tool which found numerous resellers on the NASA SEWP V GWAC who could provide all of the required Cisco hardware.

9. Other facts: Not Applicable.

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.

Christopher Quipotla Date: _____

Information Technology Analyst 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 on adequate price competition. Additional price analysis will be conducted consisting of a comparison of the successful quote with the Independent Government Cost Estimate, published commercial pricing, and the awardee's NASA SEWP V GWAC catalog pricing.

Iris Farrell Date: _____

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 \$700,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

Iris Farrell Date: _____

Procuring Contracting Officer Signature: _____