

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs
Office of Acquisition and Logistics
Technology Acquisition Center
260 Industrial Way West
Eatontown, NJ 07724

2. Description of Action: This proposed action is for a firm-fixed-price delivery order issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government-Wide Acquisition Contract (GWAC) to acquire CyberArk software maintenance. The CyberArk software maintenance shall commence within 30 days after award for a period of 12 months. Two 12 month option periods will be included for continued maintenance. Total estimated price is \$ [REDACTED], including options.

3. Description of the Supplies or Services: The Department of Veterans Affairs (VA), Office of Information Technology, Service Delivery and Engineering (SDE), Enterprise Operations (EO) Security Division requires CyberArk software maintenance for its CyberArk appliances. VA's Continuous Readiness Information Security Program requires system security monitoring of all privileged user accounts, system logs and network connectivity to provide event and log correlation, event alerting and information security threat intelligence, and reporting of all malware activity, which we use a Security Information and Event Management (SIEM) for data center systems and networks. Using combined SIEM CyberArk Device Support Module data feeds collectively referred to as CyberArk brand name appliance and software meet these requirements. CyberArk software maintenance includes continued use of the software, 24/7 telephone and email support, software updates, patches and defect support for one year.

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: This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. CyberArk brand name software maintenance is the only software maintenance that can meet VA EO Security's requirement to integrate with the existing SIEM-based user account, system and network monitoring Cyber Security system. No other brand name elevated privilege account auditing, tracking and password vaulting solutions is able to integrate with the currently fielded SIEM architecture and SIEM-based architecture licensing, and QRadar SIEM-based brand name architecture. Specifically, the system and software communicates through a source code that is based on CyberArk proprietary data. Only CyberArk or an authorized reseller can provide the required software

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maintenance because no other provider has access to the proprietary code. Access to the proprietary code is required in order to modify, i.e. upgrade, updated, and/or resolve software bugs and fixes. Without the software maintenance, EO would lose the ability to use the CyberArk licenses, which would result in EO not being able to meet National Institute of Standards and Technology 800-53 Audit and Accountability controls for Elevated Privileged Accounts for Federal Information Security Management Act High.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. This effort did not yield any additional sources that can meet the Government's requirements. 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 on the Federal Business Opportunities Page within 14 days of award of the order. In accordance with FAR 16.505(a)(4)(iii)A), this justification will be posted with the request for quotation on the NASA SEWP V GWAC.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will work with the program office to continue to perform market research to consider and ascertain if any other sources can provide these services in the future.

8. Market Research: The Government's technical experts conducted market research by reviewing websites of other providers similar elevated privilege account auditing, tracking and password vaulting systems software maintenance. This market research is an ongoing process starting in 2013 and continuously being conducted as of date. The other similar software maintenance reviewed included Quest Software and Computer Associates. Based on reviews of these products, the Government's technical experts determined that none of these products can meet the Government's technical, interoperability and compatibility requirements previously discussed. Additionally, VA networking Subject Matter Experts regularly review industry trade publications and conduct internet research to ascertain if any other brand name software is available. Based on all of these market research efforts, the Government's technical experts have determined that only CyberArk software maintenance can meet all of EO's needs.

9. Other Facts: N/A.

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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.

██████████

Date: ██████████

Project Manager

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 the Independent Government Cost Estimate. Pricing for products awarded on NASA SEWP V GWAC have already been determined to be fair and reasonable and more competitive pricing may result from competition.

██████████

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 \$700,000.00, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

██████████

Date: ██████████

Procuring Contracting Officer

Signature: ██████████