

JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
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 (DO) issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government Wide Acquisition Center (GWAC) for renewal of Symantec PC Anywhere software license and corresponding maintenance. The period of performance is for one (1) 12 month base year and two (2) 12 month option years.
3. Description of Supplies and Services: The VA Veterans Benefits Administration (VBA) Region 5 Office of Release Management Services requires the renewal of software maintenance support for Symantec PC Anywhere, Host and remote licenses as well as renewing and co-term software maintenance support for the various Symantec Backup Exec licenses. The Symantec software allows for a host session by VA developers supporting remote server sessions, as well as the connectivity to schedule and perform backups of VA servers to an automatic tape backup system for data recovery and for offsite disaster recovery and restoration. The software maintenance will provide access to telephone and web support, software patches, and software upgrades for this software. The contractor shall provide maintenance support through Symantec PC Anywhere support options, which include software updates and installation support services for the purchased software. The total estimated price of the proposed action for 100 licenses of PC Anywhere with one (1) 12 month base year and two (2) 12 month option years is \$
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. Reason for Authority Cited: Symantec software is currently fielded and being utilized within Region 5-VBA. Renewal of the maintenance support is paramount for VA to continue to perform required activities, such as tape media backup of VA server data and files resident on over 200 servers, and to host a secure session between a designated work station and a remote connection to a server. VA mandates backup of tape media data and files from its servers, and to store these tapes at an offsite location for disaster recovery. Since the current and historical tape media uses Symantec products to perform the backup operation, no other product software can be used to read and restore historical data and files found on these tapes. The maintenance servers required for this effort are ancillary to the software that is already fielded/procured for Region 5. The maintenance support covers the Symantec software secured by VA by providing the capability to continue to receive security patches and version updates, as well as on-call telephone technical support. Without these support services the currently employed software will become obsolete and vulnerable. Therefore no other brand name supplier will be able to support this maintenance requirement. PCAnywhere is software that has been incorporated into the Virtual VA

Software baseline since its inception. Implementing another product to perform this critical function of the application will require:

1. Training for Virtual VA Support staff or contract modifications to ensure the availability of expert support staff for the new product (estimated at \$500K per year).
 2. Delay in the ability of VA Office of Information & Technology to support the mission critical Veterans Benefits Management Assistance Program for approximately six months post product award to implement the new solution. Although no exact cost has been identified that would result from a six month delay, a minimum of \$500K in contract cost adjustments and lost claims production is a reasonable estimate.
 3. The total initial estimates associated with implementing a product, other than ActivePDF is \$1M. This cost not only represents a severe and unnecessary financial burden to the VA, but would also inhibit the VA from quickly executing a program that will help to reduce the veteran claims backlog, a direct benefit to the veteran.
6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. Limited competition is anticipated for the required brand name item. Furthermore, in accordance with FAR 5.3 the contract award will be synopsisized on the Federal Business Opportunities (FedBizOps) Page. In addition, this Justification and Approval (J&A) will be made publicly available on the FedBizOps Page.
7. Actions to Increase Competition: Although the Government is limiting competition as a result of specifying a brand name item, there are six (6) authorized resellers of these products on the NASA SEWP IV GWAC in Group B (Service Disabled Veteran Owned Small Business). Limited competition for this requirement among these vendors is anticipated. This J&A and the Request for Quotation will be submitted to contract holders in NASA SEWP IV GWAC Group B. Any proposals received will be evaluated. Finally, in order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will work with the program office to perform additional market research so that other solutions can be considered.
8. Market Research: Market Research was conducted in December 2011 utilizing the NASA SEWP IV Product Verification Tool as well as the Manufacturer lookup tool and it was determined that there are multiple authorized resellers of Symantec PC Anywhere products. Therefore, adequate competition is expected for this DO. Although the Government is limiting competition as a result of specifying a brand name, there are multiple authorized resellers of these products on the NASA SEWP IV contract vehicle. Competition among these vendors is anticipated. Moreover, the cost to the Government (VA) to incorporate a product, other than PCAnywhere into the Virtual VA software baseline, will place an unnecessary and severe burden on the VA in the form of \$1M in additional costs and months of lost claims production. For specific details see section 5 above.

9. Other Facts: There are no additional facts.

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.

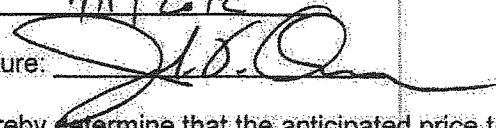
John Quigley

Date:

1/11/2012

Virtual VA Program 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. Contracts awarded on NASA SEWP IV GWAC have already been determined to be fair and reasonable. As there are multiple potential vendors on NASA SEWP IV GWAC, price competition is anticipated. Finally the successful quote will be compared to the Independent Government Cost Estimate.

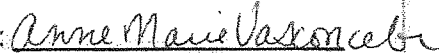
Anne Marie Vasconcelos

Date:

1-12-2012

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. This certification serves as APPROVAL.

Anne Marie Vasconcelos

Date:

1-12-2012

Procuring Contracting Officer Signature:

