

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: The 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 Denodo Virtual Data Federation Software maintenance support, Developer Training Courses, and an Online Administrator Training Course.

3. Description of the Supplies or Services: VA, Office of Information and Technology (OI&T), Enterprise Operations (EO) VA Command Center has a requirement for Denodo Virtual Data Federation Software Maintenance Support, Denodo Developer training courses, and a Denodo Online Administrator training course. These services can only be provided by the original software developer, Denodo or its authorized resellers. The Denodo Virtual Data Federation Software delivers on-demand real-time data access to many sources as integrated data services with high performance using intelligent real-time query optimization, caching, in-memory and hybrid strategies. These are automatically (or manually) chosen based on source constraints, application need and network awareness. Denodo data services scale horizontally and vertically to meet most analytical and application needs. Denodo's platform promotes delivery of flexible API and agile data services provisioning to access complex underlying data sources. Any primary, derived, integrated or virtual data source can be made accessible in a different format or protocol than the original. The period of performance for this acquisition is 12 months. The total estimated price [REDACTED]
[REDACTED]

4. Statutory Authority: The statutory authority permitting this 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: Based on market research, as described in section 8 of this justification, it was determined that limited competition is viable among authorized resellers. This procurement supports the minor updates of VA's existing Virtual Data Federation Software and will provide Developer Training Courses, and an Online Administrator Training Course. Virtual Data Federation Software offers significant cost savings in comparison to having a physical data warehouse. VA is currently utilizing Denodo software and VA requires support compatible with the existing infrastructure protocols and functionality for continued operational availability. The necessary maintenance support services for Denodo

Denodo Data Federation Software

software will require access to proprietary source code and its Intellectual Property to ensure the software maintains its proper functionality and is provided the latest updates. In order to provide the necessary training, the training courses must have knowledge of and access to current proprietary information to properly provide the training curriculum and answer questions about current system configurations and updates by those attending the course. Therefore, no other source is capable of providing the required support. Denodo owns the proprietary Intellectual Property rights to the enterprise software. Based on the market research conducted by the Government's technical experts, it has been determined that only Denodo or its authorized resellers have the required access to the source code and other proprietary data of the software to be able to meet the Government's needs.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. Although the Government is limiting competition, it is anticipated that there will be multiple authorized resellers of this service on the NASA SEWP V Contract Vehicle. 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 within 14 days of award on the Federal Business Opportunities Page. In addition, in accordance with 16.505(a)(4)(iii)(A), this Justification for an Exception to Fair Opportunity will be posted on the 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 work with the program office to perform additional market research so that other solutions can be considered.

8. Market Research: The Government's subject matter experts regularly conduct market research and review similar services to determine if other brand name products can meet their requirements. Based on these reviews, VA subject matter experts confirmed that no other brands could satisfy VA's requirement for Denodo software maintenance support and training based on the proprietary nature of the source code and Intellectual Property Rights. Additionally, Market research was conducted in July 2016 through the issuance of a Request for Information (RFI) on NASA SEWP V to identify potential sources for the required Denodo support services and training. The RFI resulted in responses from two (2) Small Businesses, Red River Computer Co. Inc. and Sterling Computers Corporation. Sterling Computers is also an Economically Disadvantaged Woman Owned Small Business (EDWOSB). . Based on the analysis of the responses, there is a reasonable expectation that limited competition exists on the NASA SEWP V GWAC for the required Denodo support services and training.

9. Other Facts: None.