

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 the issuance of a firm-fixed-price task order under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC) for Cisco Nexus networking equipment and associated components with one year of Cisco SmartNet extended service support.
3. Description of the Supplies or Services: VA Office of Information and Technology (OI&T) Veterans Affairs Central Office (VACO), Information Technology Services and Support (ITSS) has a requirement for Cisco Nexus networking equipment to add additional network capacity to VACO servers. Specifically, ITSS requires two (2) Cisco Fabric Interconnectors, one (1) Cisco Nexus 48 port Network Switch, and two (2) Cisco Fabric Extenders. This Cisco Nexus equipment will support the end user community throughout the VACO campus at VA headquarters at 810 Vermont Avenue and throughout the National Capital Area. The existing Cisco Nexus networking equipment no longer has sufficient capacity to support the necessary additional IT requirements. The Cisco Nexus equipment is required to allow for the deployment of new servers and the necessary storage required to support end users. Cisco SmartNet extended service support shall consist of registered access to Cisco.com for online technical assistance; software updates and support on devices and licensed operating system software, (including all maintenance, minor, and major releases); access to the Cisco Technical Assistance Center 24 hours a day/seven days a week; equipment firmware updates; and advanced warranty replacement exchange of failed hardware either by next business day or 24 hours a day/seven days a week/four hour delivery, depending on the type of equipment and its criticality to on-going operations. The Contractor shall deliver the equipment within 30 days with 12 months of the SmartNet extended service support plan to commence upon acceptance of the equipment. The total estimated value of the proposed action is \$242,776.22.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the 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 market research, as described in section 8 of this justification it was determined that limited competition is available among authorized resellers for the required equipment and support. Only Cisco brand Nexus equipment is compatible and interoperable with the existing infrastructure deployed within VACO. VA is not replacing its entire VACO

infrastructure, but rather is adding additional capacity to the existing VACO Cisco Nexus infrastructure; therefore, any interconnectors, switches and/or extenders being added must interoperate and be compatible with the existing infrastructure. The existing Cisco Nexus infrastructure is proprietary to Cisco and due to the proprietary code of Cisco no other brand of interconnectors, switches and/or extenders is compatible or interoperable with the current infrastructure. If the solution is not interoperable with VA's current infrastructure the switches would not transmit data correctly causing a failure in connectivity which would result in equipment failure. Only Cisco Nexus equipment is capable of meeting the Government's requirement to add capacity to the VACO network infrastructure. The selection of anything besides Cisco Nexus equipment would require the replacement of the entire VACO network infrastructure. The cost of which would exceed \$1,400,000.00 based on engineering estimates and previous efforts conducted by VA, none of which could be recovered through competition of this effort. Additionally, VA requires SmartNet extended service support to maintain the Cisco Nexus equipment. Only Cisco or an authorized reseller can provide the necessary support because of the propriety nature of the technology required to troubleshoot, diagnose and configure the Cisco interconnectors, switches and extenders. Because of the proprietary nature of these Cisco products other manufacturers will not have access to the source code required to provide support.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. Limited competition is anticipated for the required maintenance support. 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. Additionally, in accordance with FAR 16.505(a)(4)(iii)(A) this justification will be submitted to all applicable NASA SEWP V GWAC holders along with the Request for Quotation in order to fully notify all interested parties.

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 in a timely manner so that alternate solutions can be considered should they become available.

8. Market Research: The Government's technical experts conducted market research on June 8, 2016 to ascertain the ability of any other source to provide the aforementioned interconnectors, switches and extenders and extended support. The market research confirmed that Cisco Nexus equipment utilizes the Cisco NX-OS (operating system) to provide fault tolerant network capabilities. The Cisco NX-OS is only compatible with Cisco Nexus equipment. Cisco Nexus equipment provides unique, Top-of-Rack and End-of Row connectivity for efficiently connecting to and supporting Server and Storage equipment. Additionally, VA subject matter experts regularly review trade publications, conduct internet market research, and review any similar equipment as an ongoing effort to determine if other brand name products, such as Juniper, Dell, or Brocade can meet their requirements. Based on these efforts, the Government has determined that only the Cisco Nexus products identified in this document can meet the requirements.

In June 2016, additional market research was also conducted through the use of the Provider Lookup Tool on the NASA SEWP V GWAC web site. The research shows that there are a total of one hundred forty-three NASA SEWP GWAC holders that can fulfill the Government's requirements. The breakdown per group is as follows: thirty-five vendors from Group A, thirteen from Group B(1) HUBZone, twenty-five from Group B(2) Service Disabled Veteran Owned Small Businesses (SDVOSBs), fifty-three from Group C and seventeen from Group D. Based on the results of the market research, there is reasonable expectation that sufficient competition exists among SDVOSBs in Group B(2). Therefore, the request for quotation for this requirement will be submitted to Group B(2) SDVOSB GWAC holders under North American Industry Classification System code 541519.

9. Other Facts: N/A

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.

Andrew M. Nicholson

Date: 8-26-2016

IT Specialist & Chief Technology Analyst

Signature: Nicholson, Andrew


Digitally signed by Nicholson, Andrew
DN: cn=Nicholson, Andrew
ou=Internal Staff, cn=Nicholson,
Andrew
Location: 810 Vermont Ave NW, Washington, DC 20420
Date: 2016.08.26 14:24:47 -0500

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 anticipated competition. Additionally, NASA SEWP has already determined that the prices on contract are fair and reasonable. Finally, the successful quote will be compared to the Independent Government Cost Estimate.

Juan Quinones

Date: 8/26/16

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 \$500,000.00, the certification below required by VAAR 806.304(a) serves as approval.

Juan Quinones

Date: 8/26/16

Procuring Contracting Officer

Signature: 