

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 firm-fixed-price 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 Riverbed Technology, Inc. (Riverbed) Wide Area Network (WAN) acceleration hardware, software, maintenance and technical support, and training.
3. Description of the Supplies or Services: The proposed action is to procure various brand name Riverbed products/services, which includes a total quantity of 780 individual Riverbed WAN hardware components, as well as software, maintenance, technical support, and training. In addition, VA requires maintenance, technical support, and training in support of VA, Office of Information and Technology, Service Delivery and Engineering. Procurement of Riverbed hardware is essential to maintaining and expanding VA's current WAN Acceleration infrastructure, which is comprised of Riverbed hardware and software, and sustains the One-VA Network of applications necessary for day-to-day functionality. The Riverbed WAN acceleration hardware and software allows VA to maximize its current network resources and supports VA's ever-increasing business needs by ensuring sufficient capacity and compression of increasing data for transfer. The aforementioned brand name Riverbed hardware and software are required to prevent degraded application performance caused by significant reductions in available network bandwidth. The hardware and software to be procured under this acquisition will include WAN acceleration appliances, interface back cards, software necessary for the functionality of the equipment, and all relevant licenses. VA's network and bandwidth requirements continue to experience growth from year to year due to the increase in network users; as a result, expansion of VA's current Enterprise WAN Acceleration is required. VA requires WAN Acceleration equipment to be compatible with the existing Riverbed hardware. To be compatible the WAN acceleration equipment must be able to perform data reduction, latency optimization and protocol optimization with the existing Riverbed WAN Acceleration infrastructure. VA also requires 12 months of software maintenance, technical support, and training. The brand name Riverbed WAN acceleration hardware and software shall be delivered within 90 days after receipt of order. The maintenance and technical support will be 12 months from Government acceptance of the equipment. The total estimated price of the proposed action is [REDACTED]
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 extensive market research, as described in section 8 of this justification, it was determined that limited competition is viable among authorized resellers of brand name Riverbed WAN acceleration hardware, software, maintenance, technical support, and training. A total of 1098 Riverbed WAN acceleration systems consisting exclusively of various Riverbed hardware and software have been deployed across multiple VA regions, as well as throughout VA Central Office. VA network and bandwidth requirements continue to experience growth from year to year due to the increase in network users. As a result, expansion of VA's current Enterprise WAN Acceleration is required. This additional Riverbed WAN hardware and software will allow VA to maximize its current network resources and supports VA's ever-increasing business needs by ensuring sufficient capacity and compressing increased data for transfer. Currently, there are no open application programming interfaces (APIs) that accounts for interoperability between different WAN acceleration manufacturer's proprietary hardware and software products. As a result, of the hardware and software being proprietary without open APIs no other manufacturer's hardware and software can provide a WAN acceleration product that is capable of interoperating and performing data reduction and protocol optimization with another manufacturer's hardware and software. For this reason, connecting two dissimilar accelerators from two different vendors would not only fail to provide any of the necessary optimization or acceleration benefit, it would also result in interoperability and compatibility issues with the currently fielded infrastructure which is comprised exclusively of Riverbed hardware and software. VA employs multi-access mesh network topology where VA facilities can communicate between each other. If another manufacturer's hardware and software were procured and implemented in this topology, the result would be the inability for that facility to participate in WAN acceleration with all other facilities. If the aforementioned Riverbed WAN hardware and software were not procured, VA would not be able to further optimize network and application performance. Devoid of enhancements to the Enterprise WAN acceleration, VA's enterprise network will not achieve potential efficiency capable of effectively supporting many information technology projects (i.e. VistA Evolution) potentially resulting in substantial negative impact on VA's mission and technologies that directly support Veteran services. Therefore, use of Riverbed technology is critical because only Riverbed WAN hardware and software can meet all of the Government's interoperability and compatibility requirements. Furthermore, if the Government were to acquire WAN acceleration hardware and software other than Riverbeds, it would result in a complete redesign and reengineering effort of VA's network. The anticipated costs of a complete redesign and reengineering effort are not expected to be recovered through competition.

Additionally, VA requires software maintenance and technical support for the Riverbed hardware and software. Since these products are proprietary to Riverbed, no other vendor is capable of accessing the source code, which is necessary in

order to push patches and updates for all deployed software and firmware running on the hardware. Finally, since Riverbed is a proprietary product, no other vendor provides training on the hardware and software.

6. Efforts to Obtain Competition: Market research was conducted, details of which are contained 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 for this brand name WAN hardware, software, maintenance and technical support, and training. In accordance with FAR 16.505(a)(4)(iii)(A)(2), this justification will be provided with the solicitation to all interested NASA SEWP V GWAC holders. In accordance with FAR 5.301 and FAR 16.505(b)(2)(ii)(D), notice of award of the resulting order will be synopsized and this justification will be made publicly available within 14 days after award on the Federal Business Opportunity website.
7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if any new sources become capable of providing other WAN acceleration products that meet the requirements of VA's current WAN Acceleration infrastructure, which would enable future actions to be competed. Specifically, the Government will continue to monitor the marketplace to determine whether Riverbed begins making its hardware and software with open Application Program Interfaces (APIs) which may allow other brand products with open APIs to integrate.
8. Market Research: The market research for the Riverbed WAN Acceleration hardware has been ongoing since early 2014 and concluded in June 2016. The VA team looked at WAN acceleration hardware from multiple vendors [REDACTED]. The VA team conducting the market research determined that neither [REDACTED] nor [REDACTED] could provide hardware and software that is interoperable with the current Riverbed WAN infrastructure. Additionally, neither [REDACTED] nor [REDACTED] Systems has the proprietary rights to provide software maintenance and technical support for Riverbed products. While these companies may provide products with similar functionality, each company provides maintenance and technical support for its own proprietary products. Similarly, these companies do not provide training for alternate brand products. Based on this market research, the Government's technical experts determined that only Riverbed hardware and software can meet all of VA's requirements relative to its WAN acceleration infrastructure.

Additional market research was conducted in August 2016 by utilizing the NASA SEWP V GWAC Provider Look-up Tool to determine whether brand name Riverbed WAN hardware, software, maintenance and technical support, and training are available from resellers that hold NASA SEWP V contracts. It was determined that there are several resellers of brand name Riverbed WAN hardware, software, maintenance and technical support, and training that hold

current NASA SEWP V contracts. Therefore, limited competition is expected among NASA SEWP V GWAC resellers of Riverbed products/services.

9. Other Facts: Based on the market research, the technical experts concluded that Riverbed WAN Hardware/Software/services are the only commercially available products compatible with existing infrastructures.