

**JUSTIFICATION AND APPROVAL
FOR EXCEPTION TO FAIR OPPORTUNITY
(BRAND NAME JUSTIFICATION)**

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:** The proposed action is for a Firm-Fixed-Price (FFP) delivery order issued under a National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government Wide Acquisition Contract (GWAC) for the purchase of brand name Dell E-FC4 Disk Array Enclosure for CX4 Arrays. The purpose of this procurement is to increase the existing disk space storage environment to support present and future demands for disk space in support of the High Performance Analytical Cluster for Genomic Informatics System for Integrative Science (GenISIS) – the translational informatics platform for the Million Veterans Program (MVP) for Department of Veterans Affairs (VA). The required hardware shall be delivered within 30 days after contract award and the period of performance for maintenance/warranty portion of this procurement shall be 36 months from date of delivery.

3. **Description of Supplies or Services:** The proposed action will provide the VA GenISIS team with Dell E-FC4 Disk Array Enclosure and fifteen disks for CS-4 Array. This equipment is needed to ensure disk capacity meets expected future demand for the VA GenISIS, the translational informatics platform for the Million Veterans Program (MVP) for VA. The total estimated value for this proposed order is

4. **Statutory Authority:** The statutory authority permitting other than full and open competition is 41 U.S.C.253j(b) 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:** The existing GenISIS platform infrastructure consists of brand name Dell storage hardware, specifically E-FC4 Disk Arrays. This purchase is to upgrade the existing infrastructure to add more disk space storage capacity. The project is unable to use any product other than E-FC4, as it would not allow for interoperability with the existing infrastructure. This would result in inefficient use of disk storage space, lack of flexibility, increased support demands and inhibit performance of the existing storage system, introducing unacceptable vulnerabilities with

respect to compromise of Veterans genomic health information and data housed in the system. Dell's E-FC4 Disk Array is the only hardware that provides the form, fit and function that currently is compatible with VA's varied computer system environments; current business needs and ensures compatibility with existing security protocols to protect Veteran personal identifiable information and personal health information to be managed in this storage system.

6. **Efforts to Obtain Competition:** Market research was conducted, the details of which are in the market research section of this document. Limited competition is anticipated for the required Dell E-FC4 Disk Array Enclosure for CX4 Arrays. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action will be synopsisized at award on the Federal Business Opportunities Page (FBO) and the justification will be made publicly available.
7. **Actions to Increase Competition:** Although the Government is limiting competition as a result of specifying brand name items, there are authorized resellers capable of selling all of these products on the NASA SEWP IV contract. Based on the market research performed for this requirement as specified in paragraph 8 below, limited competition among the vendors in SEWP Groups B and C is anticipated. 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 during the 2nd quarter of FY12 by researching internet sites and contacting vendors for information on the aforementioned Dell hardware. The project technical team reviewed Dell system specifications on the Dell website to assess the availability of products to expand the capacity of the existing system. The team determined that in order to ensure interoperability and security with the existing system and to ensure that system performance (speed and reliability) would not be negatively impacted, it is necessary to acquire additional Dell brand products to expand the disk storage capacity for the GenISIS platform. Based on this finding, the team utilized the NASA SEWP manufacturer lookup tool to determine availability using this contract vehicle. It was determined that there numerous contractors on NASA SEWP offering Dell products and that twenty of these are "authorized resellers" for Dell products. The breakdown of the resellers is as follows: three (3) from Group A, two (2) from Group B, five (5) from Group C and four (4) from Group D.
9. **Other Facts:** None

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: 2-23-12

RD) Signature: [Handwritten Signature]

11. **Fair and Reasonable Price Determination:** I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable. Prices awarded on NASA SEWP IV contract have already been determined to be fair and reasonable. Price competition is expected among NASA SEWP IV contract holders. Finally, the successful quote will be compared to the Independent Government Cost Estimate.

Mark Junda
Kevin Loesch

Procuring Contracting Officer

Date: 2/24/12

Signature: [Handwritten 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 justification does not exceed \$650,000 this certification serves as approval.

Mark Junda
Kevin Loesch

Procuring Contracting Officer

Date: 2/24/12

Signature: [Handwritten Signature]