

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, New Jersey 07724
2. Description of Action: This 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 Government Wide Acquisition Contract (GWAC) for continued MongoDB software maintenance and support services.
3. Description of Supplies or Services: VA, Office of Information and Technology (OI&T), Service Delivery and Engineering, Enterprise Operations (EO) has a requirement for brand name MongoDB software maintenance, and associated support services, for the 48 licenses it currently has deployed. MongoDB will become the data store for the Data Access Services (DAS) project in support of Vista Evolution. Maintenance includes software updates and upgrades to include major releases, point releases, service releases and security releases of the applicable software on a quarterly basis, and/or within 48 hours in cases in which a high risk vulnerability fix becomes available. Support services include dedicated engineers to provide technical support. An optional task for Mongo consulting services will be included for supporting deployment, architecture, and pre-production type services needed to ensure optimal adoption and deployment of MongoDB technologies. The base year period of performance is 12 months with two, 12-month option periods and the total estimated price of the proposed action is [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) Section 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: Based on extensive market research, as described in paragraph 8 of this document, it was determined that limited competition is viable among authorized resellers for the brand name requirement. The current EO infrastructure is based on existing MongoDB software and VA requires software maintenance and support services compatible with the existing infrastructure protocols and functionality for continued operational availability. Only Mongo or an authorized reseller can provide the necessary software updates, because of the proprietary source code required to develop and implement software upgrades and updates. Furthermore, any other source would need access to this proprietary code to ensure the software maintenance and support services are

properly configured to the existing Mongo brand name software. Without the aforementioned proprietary source code, no source other than MongoDB and its authorized resellers can meet VA's needs. Should software maintenance and support services for the MongoDB software not be acquired, there is an immediate risk to the DAS application. MongoDB software maintenance is vital to VA for continued sustainment of the DAS production and test environments.

Additionally, VA requires Mongo or an authorized reseller to provide a dedicated engineer to provide help desk support and consulting services for the MongoDB software. Any source that provides these support services must possess the requisite certification from Mongo to perform these services due to the nature of the complex architecture inherent to MongoDB proprietary software. No other source has the extensive knowledge required to perform these services.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research paragraph 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 software maintenance. In accordance with FAR 5.301, this action will not be synopsisized and the justification will not be made publicly available on the Federal Business Opportunities Page within 14 days of award of the order. In accordance with FAR 16.505(a)(4)(iii)(A), this justification will be posted with the request for quote on the NASA SEWP V GWAC.
7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.
8. Market Research: The Government's technical experts conducted market research in May 2016 by reviewing similar software and support services to ascertain if other brands could meet VA's software requirements. Specifically, the Government's technical experts conducted web-based research on Oracle and Hadoop. As a result of the market research, the technical experts confirmed that the source code required to issue the updates is proprietary. Therefore, Mongo is the only source capable of providing the required Mongo software maintenance. No other software provider has the capability of developing and issuing software updates and fixes for Mongo software. Additionally, VA technical subject matter experts researched sources that supply Mongo software products and services and found multiple resellers available on the NASA SEWP V GWAC.
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.

[REDACTED]

Date [REDACTED]

Project Manager

Signature [REDACTED]

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. Pricing for products awarded on NASA SEWP V GWAC have already been determined to be fair and reasonable and more competitive pricing may result from competition. Additionally, quotes will be compared to the Independent Government Cost Estimate.

[REDACTED]

Date: [REDACTED]

Procuring Contracting Officer

Signature: [REDACTED]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

[REDACTED]

Date [REDACTED]

Procuring Contracting Officer

Signature [REDACTED]

13. Legal Sufficiency Certification: I have reviewed this justification and find it adequate to support an exception to fair opportunity and deem it legally sufficient.

[REDACTED]

Date [REDACTED]

Legal Counsel

Signature [REDACTED]

Approval

In my role as Advocate for Competition, based on the foregoing justification, I hereby approve the acquisition of brand name Mongo software maintenance and support services. This action will be issued on an other than fair opportunity basis pursuant to the authority cited in section 4 above, subject to the availability of funds, and provided that the services herein described have otherwise been authorized for acquisition.

Date [REDACTED]

Signature:

[REDACTED]

Advocate for Competition
Technology Acquisition Center
Office of Acquisition Operations