

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: This proposed action is for a firm-fixed-price delivery order issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government-wide Acquisition Contract (GWAC) for procurement of add-ons to increase the functionality of the current TIBCO Spotfire enterprise software licenses in use throughout VA. Software maintenance and support for the additional functionality is also required.
  
3. Description of the Supplies or Services: VA, Financial Services Center (FSC), Office of Finance, has a requirement for TIBCO automation add-on software in order to provide additional functionality for the 206 existing TIBCO Spotfire enterprise software licenses currently in use throughout VA. Software maintenance and support for the added functionality is also required. The TIBCO Spotfire software application integrates the R programming language by executing R developed packages, functions, and scripts, a capability which is unique to TIBCO Spotfire. This gives the application the ability to distribute and integrate R code within FSC's existing financial analytics computing platform. Specifically, TIBCO Spotfire is used at FSC to run compliance management activities, data analysis, reporting requirements and functions by integrating with FSC's existing Microsoft SQL and Oracle base databases and Statistical Analysis System Visual Analytics. The required new functionality will add automated notification capability to the existing platform, and will interact seamlessly with the existing functionality to ensure users are maximizing the use of the data products developed. Automation services will proactively push products developed by the Data Analytics Directorate team to end users. This will allow users to see changes in their data based on configurable threshold settings, reducing the need to constantly monitor the data products being produced. When data are added or updated, notifications and alerts will be sent to the end user via automated messaging, based upon a user's predefined method and mode of delivery based on each user's specific needs. This additional functionality will be used in VA medical facilities, regional network offices and central program/policy offices across the United States. This will allow FSC to provide continued and enhanced robust reporting, monitoring, and end-user acceptance of generated financial analytics products. Maintenance and support including patches, updates, and support, is required 24 hours a day, 7 days a week. The period of performance shall be 12 months from date of award followed by three 12-month options for continued maintenance support to coincide with the period of performance on the existing delivery order under which TIBCO brand software licenses and maintenance were procured.
  
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is 41 U.S.C. 4106(c)(2) as implemented by the 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 eight of this justification, the Government has determined that limited competition among authorized resellers is available for the additional functionality and associated software maintenance support for the required brand name TIBCO Spotfire enterprise software licenses. The required additional functionality for TIBCO automation is only available as an add-on to the existing TIBCO Spotfire software, which itself is the only software that meets VA’s integration and manipulation requirements. This software, which is the only software to meet VA’s needs, integrates the R programming language by executing R developed packages, functions, and scripts, a capability which is unique to TIBCO Spotfire TIBCO’s proprietary R integration engine (TERR) differentiates the Spotfire platform from other Business Intelligence and Analytics (BI&A) platform competitors. TIBCO Spotfire provides the ability to develop and use advanced statistical models which are critical in meeting VA’s requirement. No other brand name software can provide this functionality since they are relatively immature in regards to inclusion of advanced predictive modeling through the R programming language. TERR is vital to FSC’s capability to perform data mining. It is the only available tool that can integrate seamlessly with FSC’s existing data analytics tools allowing it to analyze data from different perspectives across a variety of programming languages while summarizing it into useful information; information that can be used to increase revenue and cut costs. Additionally, it supports a larger scale program effort related to the VA’s fraud and improper payments detection. The additional functionality VA requires, is the only product that interacts seamlessly with the proprietary Spotfire software to ensure users are maximizing the use of the data products developed. Even if another product separately existed with this additional functionality, it would not be compatible or integrate with the existing TIBCO Spotfire platform due to TIBCO’s proprietary source code and intellectual property rights. The TIBCO automation tool add-on is the only software that meets the government’s requirements and is the only compatible application that can run automated jobs in the existing TIBCO Spotfire platform due to TIBCO’s proprietary source code and intellectual property rights. Leveraging TIBCO’s integration platform addressing business needs, it can generate reports on time and automatically forward them to appropriate personnel via email on an end-user preset schedule. It also generates notifications based on infrastructure events such as database updates, email receipts, and database creation. TIBCO automation does this by interacting seamlessly with Spotfire to ensure users are maximizing the use of the data products developed.

Additionally, due to the proprietary source code, no other software developer is capable of providing the necessary patches, updates, and support for the added Spotfire functionality for the existing 206 TIBCO software licenses. This code is needed to ensure any services provided are properly configured and all patches and updates are pushed through.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section eight of this justification. This effort did not yield any additional sources that can meet the Government's requirements. It was determined that limited competition is viable among authorized resellers for the added functionality for the required brand name TIBCO Spotfire enterprise software license and maintenance. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), notice of award of this action will be synopsized and this justification will be made publicly available within 14 days of award on the Federal Business Opportunities Page. In accordance with FAR 16.505(a)(4)(iii)(A), this justification will be posted with the request for quotation on the NASA SEWP V GWAC website to notify all interested parties.

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: Market research was conducted in August 2016 by FSC technical experts to determine if products and services other than TIBCO Spotfire can satisfy VA's requirements for the additional functionality and associated maintenance and support, and it was discovered that no other products are available to meet the Government's previously stated requirements. Through market research the FSC team of analysts identified four leading software analytics products, and thoroughly reviewed the capabilities of each. This included an analysis of the following products: SAS Visual Analytics (SAS VA), TIBCO Spotfire, QlikView, and Tableau. It was determined that with the exception of TIBCO Spotfire, no other software analytic product can provide the additional functionality that seamlessly integrates with the existing TIBCO Spotfire enterprise software licenses currently in use due to TIBCO's proprietary source code and intellectual property rights. Moreover, while each of these brands provides software maintenance and support for their own product line, no other brand provides the software maintenance for TIBCO Spotfire software.

Additional market research was conducted by the Contract Specialist in November 2016 by conducting a Request for Information (RFI) via the NASA SEWP V GWAC to ascertain the extent of limited competition among resellers. Four responses were provided from the following companies: 4 Star Technologies, Four Points Technology, RedHawk IT, and ThunderCat Technology. All vendors provided a quote that meets the requirement per the technical expert. The Contract Specialist conducted additional market research in November 2016 utilizing the NASA SEWP V GWAC Provider Look-up tool and identified multiple authorized resellers of TIBCO products and services that hold a current GWAC.

9. Other Facts: None.