

JUSTIFICATION AND APPROVAL
FOR EXCEPTION TO FAIR OPPORTUNITY
BRAND NAME JUSTIFICATION

1. Contracting Activity: Department of Veterans Affairs
Office of Acquisition Operations
Technology Acquisition Center
260 Industrial Way West
Eatontown, NJ 07724

2. Description of Action: The proposed action is for a firm-fixed price delivery order for brand name Cisco network equipment, consisting of routers, switches, software and installation services. This action is for one (1) twelve (12) month base period. The required supplies are for the Department of Veterans Affairs (VA) Office of Information & Technology (OIT) and the Austin Automation Technical Center (AITC) Veterans Informatics and Computing Infrastructure (VINCI) project in support of VA Major Initiative, Perform Research and Development to Improve Delivery of Healthcare and Benefits to Veterans. Cisco products are widely available on the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC).

3. Description of Supplies or Services: Cisco brand supplies and devices are used broadly across VA. Cisco products are currently in use by VA in the AITC, therefore their performance standards and maintenance needs are well understood. The supplies for this requirement include Cisco adaptors, switches, routers, access points, cables, and mounting hardware and software. The total estimated price of the proposed action is \$547,718.66.

4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 253(j)(b) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B), "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 One VA/AITC Network Infrastructure is currently implemented in VINCI in the production environment. The equipment for VINCI upgrades must be 100% compatible with the current AITC network. OIT and AITC have a requirement for network equipment compatibility with existing architecture in both hardware and network operating systems. This acquisition will be used to support the network infrastructure currently in place with enhancements and upgrades in support of the VINCI program. The purpose of this procurement is to provide growth and network bandwidth for user access and data flow. This requirement is defined at the VA enterprise level and is necessary to ensure compatibility for both protocols and ensure maintainability of the equipment; therefore, this acquisition requires specific brand names and models.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document in paragraph eight (8) below. This effort did not yield any alternative products other than Cisco that can meet the Government's requirements to be 100% compatible with the existing network equipment. Additionally, all NASA SEWP IV orders are placed under existing Indefinite Delivery, Indefinite Quantity (IDIQ) contracts, and thus are not required to be synopsisized pursuant to FAR 16.505(a)(1) and FAR 5.202 (a)(6). The SEWP IV GWAC is composed of four (4) groups of contract holders. At a minimum, to provide Fair Opportunity on SEWP, all contract holders within any of the four (4) individually competed groups must be provided the opportunity to propose.

7. Actions to Increase Competition: Original designation of existing network equipment was established competitively. In the future, as this equipment approaches replacement stage, 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 first quarter of fiscal year (FY) 12 by researching internet sites and contacting vendors for information on compatible network switches, network operating systems, and module extenders in support of VINCI infrastructure network enhancement efforts. Vendors were provided with the precise performance and compatibility requirements and asked for alternative products. The results of the market research reflected there are no other compatible switches, modules, and software that ensure the form, fit, and function necessary to satisfy the Government's needs. Based on the results of this market research, the team searched the NASA SEWP IV Product Verification and Manufacturer Lookup tools to determine if Cisco products were available using this set of contracts. This search indicated that all NASA SEWP IV prime contract holders offer Cisco products. This covers all companies in all four (4) NASA SEWP contract groups: Value-Added Resellers (VARs) & Original Equipment Manufacturers (Group A), Service-Disabled Veteran-Owned Small Businesses (SDVOSB) (Group B), Small Business set-aside VARs (Group C), and VARs (Group D). Based upon the above and in accordance with NASA SEWP guidance which states that if there is a brand name specific request the request for quotation (RFQ) should be submitted to all four (4) SEWP contract groups, this requirement will be opened to all four (4) groups.

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.

Mark Cheshire

Date: 2/17/2012

IT Project Manager

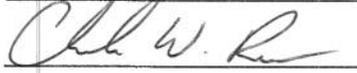
Signature: 

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 NASA SEWP IV Product Verification and Manufacturer Lookup tools.

 Kevin Loesch

Date: 3/1/2012

Procuring Contracting Officer

Signature: 

12. Procuring Contracting Officer Certification: For a proposed contract exceeding the simplified acquisition threshold but not exceeding \$650,000, the contracting officer's certification required by FAR 16.505 (b)(2)(ii)(C)(1) will serve as approval. I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$650,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

 Kevin Loesch

Date: 3/1/2012

Procuring Contracting Officer

Signature: 