

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: The proposed action is for a firm-fixed price (FFP) delivery order issued under National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurements (SEWP) V contract for four Cisco 9250i Fiber Channel switches to be implemented into the development, test, production and Continuity of Operations (COOP) environments in the Capital Region Readiness Center in Martinsburg, West Virginia.
3. Description of Supplies or Services: VA, Office of Information Technology (OIT) Service Delivery and Engineering requires Cisco 9250i Fiber Channel switches and ancillary software and parts for the VA Bidirectional Health Information Exchange. One year of technical support services, to include hardware and software maintenance is also required. All new hardware must be pre-configured (factory installed) and fully operational prior to delivery.
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 market research, as described in paragraph 8 of this document, the VA determined that limited competition is available among authorized resellers for the required Cisco 9250i Fiber Channel switches. BHIE's current system architecture is fully comprised of Cisco hardware and fully integrated software. A Congressional mandate and a Presidential Order were issued to integrate and exchange healthcare information between VA and Department of Defense (DoD). DoD's system architecture is also comprised of Cisco hardware and software. This current infrastructure provides VA and DoD a seamless integration and exchange of healthcare information

Consideration of other products included an review, evaluation, market research and analysis. VA and DoD determined that Cisco's software, installation services and support provides VA and DoD with a unique solution that is compatible with the currently fielded Cisco switch devices and eliminates many of the potential problems that come from integrating with other hardware manufacturers and middleware solutions. Since this procurement is for enhancements and augmentation of existing

hardware, other manufacturers' hardware will not fit the needs of the BHIE system and they will not be compatible with the current implementation.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. It was determined however that limited competition is viable among authorized resellers for this brand name effort. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsized at award on the Federal Business Opportunities Page and the justification will be made publicly available.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the Government will continue to perform market research to determine if there are switches available that will integrate with BHIE's current Cisco infrastructure that would enable future requirements to be competed.

8. Market Research: The Government's technical experts conducted market research in December 2016 by reviewing similar brands of SAN switches to ascertain if these products could meet or be modified to meet VA's requirements. Specifically, the Government's technical experts conducted web-based research on vendor websites to include HP, Brocade and Juniper. Although these vendors offer similar switches, only Cisco or an authorized reseller are capable of providing switches that meet the Government's compatibility and interoperability requirements as described in paragraph 5 above.

Additionally, market research was conducted in January 2017 utilizing the NASA SEWP V GWAC Provider Lookup Tool to determine whether the required brand name Cisco 9250i Fiber Channel switches were available from current GWAC holders. The results of the search found numerous GWAC holders that are Cisco resellers that could possibly meet VA's needs, including 25 Service-Disabled Veteran- Owned Small Business Value Added Resellers. Therefore, limited competition is anticipated.

9. Other Facts: N/A