

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: The proposed action is for the issuance of a firm-fixed-price Delivery Order under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government-Wide Acquisition Contract (GWAC) to acquire Cisco brand name hardware and related accessories.
3. Description of the Supplies or Services: VA, Office of Information and Technology, Service Delivery and Engineering, Information Technology Services and Support, has a requirement for ten (10) Cisco Nexus 48 port network switches, eighty (80) Cisco Fabric Extenders, forty (40) Cisco SFP+ multimode transceivers, two (2) Cisco 6800 series 16 port 10G line cards, and related accessories to augment the existing Cisco Nexus infrastructure, which houses the facilities' server environment; thereby enabling users to access stored data in the data center at the Durham, North Carolina VA Medical Center (VAMC). The performance period for this acquisition requires delivery of the hardware no later than thirty (30) days from date of Delivery Order award. The total estimated value of the proposed action is [REDACTED]
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 section 8 of this justification it was determined that limited competition is available among authorized resellers for the required Cisco hardware and related accessories. Only brand name Cisco hardware is compatible and interoperable with the existing Cisco Nexus infrastructure deployed within Durham VAMC. The Durham VAMC is not replacing its entire infrastructure, but rather is adding additional capacity to the existing Cisco Nexus infrastructure; therefore, the required hardware and related accessories must interoperate and be compatible with the existing infrastructure. The market research demonstrated that no other manufacturer's equipment can meet the Government's compatibility and interoperability requirements. Specifically, due to proprietary source code and protocols no other source can provide equipment with the required connectivity that will operate within the existing infrastructure. Also, the current infrastructure is comprised of various Cisco Nexus items which only allow Cisco brand name transceivers and line cards to fit and operate in this existing infrastructure. Any other brand name transceivers and line cards are different dimensions and will not fit in the current infrastructure. VA has functional requirements that only these Cisco brand

name network switches, transceivers, and line cards can meet. Specifically, VA requires these items to act as Fabric Extensions to the existing Cisco Nexus 5000 series switches. If the solution is not interoperable with VA's current infrastructure the switches would not transmit data correctly causing a failure in connectivity which would result in equipment failure. Loss of connectivity would cause complete facility outage, as well as lead to outages for other facilities that utilize the server environment at the Durham, North Carolina VAMC; therefore, preventing VA staff from completing their critical, day-to-day activities that are dependent upon network connectivity.

6. Efforts to Obtain Competition: Market research was conducted from June through September 2016, details of which are in the market research section of this document. This research did not yield any other products that can meet the Government's technical requirements. Although the Government is limiting competition as a result of specifying Cisco brand name products, there are multiple resellers of the required hardware that hold current NASA SEWP V GWACs. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action will be synopsisized and the justification will be made publicly available on the Federal Business Opportunities website within 14 days of award. In addition, in accordance with FAR 16.505(a)(4)(iii)(A)(2), this justification will be posted with the solicitation on the NASA SEWP website.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for the requirements described herein, the agency will continue to perform 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 from June through September 2016 by reviewing the technical specifications of other similar hardware manufactured by Hewlett-Packard (HP), Juniper, and Brocade to ascertain the ability of any other source to provide the aforementioned interconnectors, switches, and extenders. Based on the market research conducted, the Government's technical experts determined that no manufacturer's hardware, other than Cisco, can meet the Government's requirements previously discussed in section 5 of this document. None of the vendors' hardware can function and interoperate with the existing Cisco Nexus infrastructure deployed within Durham VAMC. Additionally, VA Subject Matter Experts regularly review industry trade publications and white papers, consult with industry subject matter experts, and conduct internet research to ascertain if any other hardware is available in the marketplace that can meet the Government's requirements. Based on all of these market research efforts, the Government's technical experts have determined that only Cisco brand name hardware can meet all of VA's technical requirements.

9. Other Facts: None