

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center – Austin
1701 Directors Blvd., Ste. 600
Austin, TX 78744
2. Description of Action: The proposed action is for a firm-fixed-price delivery order issued under a National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government Wide Acquisition Contract (GWAC) for the procurement of extended maintenance and support for the Full Packet Capture solution.
3. Description of the Supplies or Services: The proposed action is to provide maintenance and support for the Dell brand name hardware and Solera brand name software that comprises the Full Packet Capture solution currently in use at the four VA trusted internet connection. Solera was previously manufactured by Blue Coat, which was purchased by Symantec in 2016. Symantec owns Solera production and manufacturing. This maintenance and support ensures continuity of the Full Packet Capture solution as the current maintenance and support plan expires on September 23, 2017. The VA is actively working on procuring a replacement Full Packet Capture solution that once installed will allow for the current solution to be decommissioned. The required maintenance and support consists of technical support as well as continued access to product updates including major software enhancements, patches and bug fixes. The total estimated price of the proposed action is [REDACTED], with a period of performance of September 23, 2017, to September 22, 2018.
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) 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: More than one vendor is capable of providing the services required, but fair opportunity is limited by restriction to a brand name. The VA currently uses the Dell brand name hardware and Solera brand name software that comprises the Full Packet Capture solution currently in use at the four VA trusted internet connection. Only support for these brand name resources can be used. If support and maintenance were to be provided for other products, the support could not be executed when needed.
6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. No additional sources were found. However, in accordance with 16.505(b)(2)(ii)(D), this action will be synopsisized and the justification will be made publicly available on the Federal Business Opportunities Page because the total estimated price exceeds the simplified acquisition threshold. In addition, the Justification will be posted on the NASA SEWP V GWAC website to notify all interested parties.

FULL PACKET CAPTURE MAINTENANCE and SUPPORT EXTENSION

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 any products and/or source providers available that will enable future requirements to be competed.

8. Market Research:

Software (Solera):

VA technical personnel conducted market research in April and May, 2017, which consisted of reviewing similar software manufacturers to ascertain if these Vendors could meet VA's requirements. Specifically, the Government's technical experts conducted web-based research on [REDACTED]. As a result of the market research the technical experts confirmed that the source code required to issue the updates is proprietary, Symantec or its authorized resellers are the only sources capable of providing the required maintenance and support for Solera software.

Hardware (Dell):

Market research was conducted in April and May, 2017, which consisted of reviewing similar hardware manufacturers to ascertain if these Vendors could meet VA's requirements. Specifically, the Government's technical experts conducted web-based research on [REDACTED]. As a result of the market research the technical experts confirmed that as the hardware, firmware, and source code required to issue the updates are proprietary to Dell. Based on these findings, the Government has determined that currently, only Dell or its authorized resellers can provide the required level of support for the existing Dell brand equipment.

The Contract Specialist (CS) conducted market research in May 2017 using the SEWP Provider Lookup tool. Based on this market research, the CS found several resellers under SEWP capable of meeting the full requirement.

9. Other Facts: N/A

FULL PACKET CAPTURE MAINTENANCE and SUPPORT EXTENSION

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Date [REDACTED]

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