

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 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 the maintenance renewal of existing brand name Pyramid Analytics perpetual software licenses.
3. Description of the Supplies or Services: VA, Office of Information and Technology, Information Technology Operations and Service, has a requirement to renew premium maintenance for the unlimited Pyramid Analytics enterprise software that provides VA staff the ability to visually query and analyze a variety of clinical, administrative, and financial data contained in Microsoft Structured Query Language (SQL) Server Analysis Services (SSAS) on-line analytic processing (OLAP) cubes for reporting and analytics. This software is crucial for the Business Intelligence and Analytics Platform within VA and is integrated in a complex User Governance Model. Software maintenance includes 24x7 coverage 365 days/year phone and website access, access to beta software, and dedicated Technical Account Manager. The required software maintenance covers the existing VA enterprise wide Perpetual Unlimited Use Software License Agreement already in place in use by over 30,000 VA users. The period of performance shall include one 12-month base period and four (4) 12-month option periods. VA anticipates using this software for a minimum of five years and therefore requires maintenance for that time. This effort is only for services, no software will be procured under this proposed action.
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, it was determined that limited competition is available among authorized resellers for the required premium maintenance for Pyramid Analytics software. VA currently uses the Pyramid Analytics software to create business intelligence and analytic dashboard and reports that include key performance indicators, data grids and advanced visualizations like heat maps and predictive model values in a complex User Governance model. The software is available at an enterprise level, and does not require desktop client software. Pyramid Analytics has allowed for rapid identification of trends, opportunities and threats hidden within large quantities of

data in a visual fashion. It also allows for self-service by the end user or end user groups. Only an authorized reseller of Pyramid Analytics software, with access to the Pyramid Analytics proprietary source code, can provide these services. In addition, only an authorized reseller of Pyramid Analytics has access to the beta software which is a requirement of the support for the VA customer. Other manufacturers do not have the proprietary source code needed to develop and push through software updates and releases necessary to provide the required maintenance. This proprietary code is also required to ensure all the maintenance provided is properly configured to the software. The software currently in place is considered to be a critical piece of reporting and visualization of data contained in Microsoft SQL SSAS OLAP cubes within VA. It is critical that this software remains operational at all times and maintenance services are continuously available. Failure to obtain the aforementioned maintenance services will impact the VA's ability to provide situational awareness to VA management at all levels on hospital operations, clinical access, community care, pharmacy benefits resource management, prosthetic and sensory aids resource management, and situational awareness to many other critical business functions.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsisized within 14 days of award on the Federal Business Opportunities Page. In addition, the Justification for an Exception to Fair Opportunity shall be posted to NASA SEWP V GWAC website at time the solicitation is posted.

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: The Government's technical experts conducted market research in February 2017 to ascertain the ability of any source, other than Pyramid Analytics or an authorized reseller that can provide the aforementioned maintenance. This market research consisted of reviewing the Business Intelligence (BI) and Analytics products of Qlik, Tableau, and Microsoft in order to determine the viability of transitioning to another BI Analytics software. While these companies have the ability to provide general maintenance, only Pyramid Analytics, or its authorized resellers, can access the proprietary source code necessary to provide the required maintenance, as outlined in paragraph five of this document. Unauthorized providers do not have access to the proprietary data to be able to provide the required 24x7 coverage 365 days/year phone and web support, access to beta software, and Technical Account Manager. Additionally, access to Pyramid Analytics proprietary data is required to provide software updates and access to beta software. On April 4, 2017, the Government contacted Pyramid Analytics to ascertain if this proprietary source code was for sale. Pyramid Analytics advised that this data is not for sale. Based on the above market research, it was determined that only Pyramid Analytics maintenance can be used for the existing Pyramid Analytics software.

Market research was also conducted in February 2017 by issuing Request for Information (RFI) #51865 on NASA SEWP V GWAC to identify resellers of Pyramid Analytics software maintenance services. The RFI yielded one response from Group B2 - (Service-Disabled Veteran-Owned Small Business) and this vendor was able to meet the Government's requirements.

Additional market research was conducted in February 2017 by utilizing the NASA SEWP V Provider Lookup Tool to determine whether the brand name Pyramid Analytics software maintenance is available from NASA SEWP V GWAC holders. It was determined that there are several resellers of the brand name Pyramid Analytics software maintenance that hold current GWACs; therefore, there is limited competition at the reseller level.

9. Other Facts: None.