

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center (TAC)
23 Christopher Way
Eatontown, NJ 07724
2. Description of Action: The proposed action is for a firm-fixed price delivery order to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC) for brand name Quantum Tape Library hardware and software upgrades, and corresponding support services consisting of installation, configuration, implementation, testing, and maintenance.
3. Description of Product, Supplies or Services: VA, Enterprise Operations and the National Data Center Program, has a requirement for brand name Quantum hardware and software for robotics upgrades and support to six existing I6000 Quantum Tape Libraries at the Philadelphia Information Technology Center (ITC) located in Philadelphia, Pennsylvania, the Defense Information Systems Agency, Defense Enterprise Commuting Center located in St. Louis, Missouri, Region 4 Interim Data Center (IDC), Secaucus, New Jersey ITC, and Brooklyn, New York ITC. The Contractor shall provide the installation and configuration required for the tape library upgrades at all facilities. This procurement shall replace out-of-date robotics elements and provide continued support. Quantum hardware and software maintenance includes 24 hours a day, 7 days a week, 365/366 days a year telephone support and 4 hour response to onsite break/fix repair, as well as notification to the VA Information Technology team of available software patches. Delivery, installation, configuration, implementation and testing at all four locations shall be completed within 90 days of delivery order award. The period of performance for the maintenance support shall be 12 months from date of completion of upgrade installation, configuration, implementation, and testing, plus two 12-month option periods for continued maintenance support. [REDACTED]
[REDACTED]
[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 Federal Acquisition Regulation (FAR) Section 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 eight of this justification, it was determined that limited competition is viable among authorized resellers for the brand name Quantum

Tape Library hardware and software upgrades, and corresponding support services. Only brand name Quantum hardware, software, and corresponding support services can provide the needed updates for the existing Quantum tape libraries while ensuring continued operation of backup data and reduce the risk of data being corrupted or lost. No other tape library hardware and software is interoperable or compatible with the currently fielded Quantum I6000 tape libraries and Quantum System software features. No other parts/items can meet VA's form fit and function requirements. The required Quantum hardware, software upgrades, and corresponding support services consisting of installation, configuration, implementation, testing, and maintenance will augment the performance and capacity of the current Quantum Tape Libraries by upgrading at the four facilities, which are a VA functional requirement and replacing out-of-date robotics elements to support greater workload processing and archiving within the existing Quantum system. If VA were to utilize any other brand name hardware and software, it would not operate within the current I6000 systems due to the proprietary constraints. Additionally, no other source is capable of providing the required software maintenance support as only Quantum or its authorized resellers have access to the proprietary source code necessary to provide the required software updates, security patches, and technical support. Since the software is proprietary, a legal restriction is placed on access to the software code that is required in order to develop updates and patches to the software. Without this access it is impossible to modify the software code as necessary to provide the required patches and updates. Access to this code is also required to ensure the services provided to the software are properly configured.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section eight of this justification. Although the Government is limiting competition as a result of specifying Quantum brand name products, it was determined that limited competition is viable among authorized resellers for the required brand name Quantum products. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), notice of award of this action will be synopsisized and this justification will be made publicly available within 14 days of award on the Federal Business Opportunities website. In accordance with FAR 16.505(a)(4)(iii)(A), this justification will be posted with the request for quotation on the NASA SEWP V GWAC website to notify all interested parties.
7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be fully competed. VA subject matter experts regularly review industry trade publications and conduct internet research to ascertain if any other brand name hardware is available.
8. Market Research: VA National Data Center Operations and Logistics and Enterprise Systems Engineering technical staff conducted market research by conducting internet research to review other products that are similar to the

Quantum products during March 2017. Based upon that review VA's technical experts determined that no other hardware and software is currently available in the market place that can meet all of VA's requirements, as identified in section five of this justification. Specifically, Hewlett Packard and EMC were both reviewed. While both of these companies offer similar hardware and software to Quantum, neither company is capable of having its hardware and software upgrade existing Quantum Tape Libraries because of specific characteristics (proprietary software and hardware design) unique to the Quantum Tape libraries robotics systems. Based on this review of similar products it was determined that no other source could provide software maintenance support for the Quantum Tape Libraries as every other source, other than Quantum's resellers, lacked access to the proprietary source code necessary to provide the required support. Only Quantum or its authorized resellers can provide the required software maintenance support for the existing infrastructure as only those sources have the ability to access the proprietary code. Based on market research efforts, the Government's technical experts have determined that only the aforementioned Quantum brand name hardware, software, and associated support services can meet all of VA's needs.

Additional market research was conducted in May 2017 using the Provider Lookup Tool on the NASA SEWP V GWAC website. It was determined that there are numerous NASA SEWP V GWAC holders that are authorized resellers of brand name Quantum Tape Library hardware and software, to include installation, configuration, implementation, testing and maintenance support.

9. Other Facts: None