

JUSTIFICATION AND APPROVAL  
FOR EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition and Logistics  
Technology Acquisition Center  
23 Christopher Way  
Eatontown, NJ 78744
2. Description of Action: The proposed action is for a Firm-Fixed-Price Delivery Order (DO) issued under the National Aeronautics and Space Administration (NASA) Solutions for procurement (SEWP) V Government Wide Acquisition Contract (GWAC), for Cisco brand name Video Teleconferencing Equipment to support the activation Replacement Hospital, VA Medical Center (VAMC), New Orleans.
3. Description of Supplies or Services: The Department of Veterans Affairs (VA), Office of Information and Technology (OI&T), has a requirement to procure Cisco brand name Video Teleconferencing Equipment including 17 Cisco Telepresence Codec (CTS-SX20N-P40-K9) and one Cisco Telepresence Codec (CTS-SX10N-K9) to support the activation Replacement Hospital, VAMC, New Orleans. In addition to the aforementioned brand name video teleconferencing equipment, the Contractor shall provide screen and wall mount kits for the CTS-SX10N-K9 along with a variety of brackets, camera shelves, and monitor wall mount kits for CTS-SX20N-P40-K9. These additional items are not required to be a specific brand and will be specified as brand name or equal in the solicitation to include salient characteristics. The brand name video teleconferencing equipment will interconnect with the existing Enterprise Video Teleconferencing Network (EVTN) system which is currently comprised of Cisco equipment. The EVTN infrastructure provides the capability to allow any video device in the VA network architecture to communicate with any other video device. The new VAMC will have conference rooms with the capability to be used with all 18 of the requested Codecs. Some of the foundational elements of the EVTN that support these endpoint devices include Cisco Unified Communications Manager (CUCM), Video Communications Servers (VCS), and TelePresence Management Suite (TMS) that provides detailed management, maintenance and support of these video devices. Ongoing support for these systems will be covered under the existing VA Cisco Enterprise Support Agreement (ESA). Delivery of the Cisco devices shall be within 30 days after receipt of order.
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is 41 U.S.C. 253(j)(b) 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 extensive market research, as described in paragraph 8 of this document, it was determined that

limited competition is available for the aforementioned brand name systems. The existing EVTN core infrastructure and network management platforms currently in place are based on a Cisco brand name platform. Other platforms cannot meet the Government's requirements as they are not interoperable with the existing EVTN Cisco based systems due to proprietary constraints. The Cisco codec products are based on proprietary source code. Specifically, the interoperability issue is due to proprietary source code of the underlying firmware which limits managing devices to their full capabilities. This proprietary source code allows the currently fielded Cisco hardware and software to communicate with additional Cisco brand name items. No other brand codec can communicate or interoperate with the existing EVTN infrastructure. Furthermore, the use of any other brand name equipment would require a complete replacement of the currently fielded Cisco brand name hardware and software utilized on the EVTN infrastructure due to lack of interoperability and compatibility. This replacement effort would result in extensive delivery delays and duplicative costs that would not be recovered through competition. The current EVTN infrastructure complies with all the performance and security requirements of the Government. The use of any other brand name product will severely degrade the ability to support and manage the existing EVTN infrastructure's hardware and software and result in interoperability and compatibility issues. Failure to procure these brand name specific codecs will impede, or seriously degrade VA's ability to support the VAMC's administrative operations.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional sources that can meet the Government's requirements. It was determined however that limited competition is viable among authorized resellers for this brand name item. In accordance with FAR 16.505(a)(4)(iii)(A)(2), this justification will be provided with the solicitation to all appropriate NASA SEWP V GWAC holders. 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: The Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.
8. Market Research: Market research was conducted in June 2017 by the Government's technical experts, who researched internet sites for information about Video telecommunication systems suitable for integration with EVTN. Other platforms, such as those available from Polycom, Lifesize, and Sony, cannot meet the Government's requirements and are not interoperable with EVTN Cisco based systems due to the constraints imposed by Cisco's proprietary source code. Additional market research was conducted in June 2017 via the NASA SEWP V GWAC. The search resulted in 12 potential resellers in Group B, Service Disable Veteran-Owned Small Businesses (SDVOSB), for the CISCO SX10, the search also resulted in eight potential resellers in Group B for the CISCO SX20. It was

determined that multiple SDVOSB resellers of the required Cisco equipment are available on the NASA SEWP V GWAC.

9. Other Facts: None.