

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, New Jersey 07724
2. Description of Action: This 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 Governmentwide Acquisition Contract (GWAC) for brand name Tenable Network Security, Inc. (Tenable) software maintenance.
3. Description of Supplies or Services: VA, Office of Information and Technology, Information Technology Operations and Service (ITOS), Infrastructure Operations (IO), has a requirement for the renewal of brand name Tenable software maintenance for 17 software licenses that are currently fielded at the Austin Information Technology Center (AITC). The current IO infrastructure includes existing Tenable perpetual software licenses and VA requires continued support compatible with the existing infrastructure protocols and functionality. Tenable software provides operating system, network, application and passive vulnerability assessment visibility and vulnerability threat in a centralized configuration within the existing production Tenable management center. Renewal of software maintenance services are required to ensure that the software remains operational by providing software upgrades and updates to include major releases, point releases, service releases and security releases of applicable software on a quarterly basis, and/or within 48 hours in cases in which a high risk vulnerability fix becomes available. The Contractor shall provide software maintenance support which shall include 9:00am to 5:00pm Eastern Standard Time assistance via phone and email, as well as all bug fixes and enhancements, all system model upgrades, and help desk support to include technical consultation. The Contractor shall provide one telephone number and/or a point of contact for VA to contact for the opening of maintenance service calls. The Contractor shall interface with the VA Program Manager, VA Technical Manager or designee in tracking and reporting service call tickets. The period of performance is October 1, 2017 through September 30, 2018.
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is 41 U.S.C. 4106(c)(2) as implemented by 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: Based on market research, as described in section eight of this justification, it was determined that limited competition is available for the required brand name Tenable software maintenance

among authorized Tenable resellers. In order to prevent interoperability issues because of the proprietary configuration and function of Tenable Security products, Information Technology Security products like Tenable Security only function within their own production environment and do not interoperate in a mixed vendor variety of licensing models or configurations while maintaining the central management requirement through the existing production Tenable Security Center console at AITC in order to support its deployed infrastructure which requires software version upgrades, updates and patches for its existing Tenable software. Only Tenable software maintenance can provide the necessary software upgrades, updates, and patches because of the propriety source code required to develop and implement software updates. Since the software is proprietary, Tenable through its authorized resellers, are the only sources that can access the proprietary software code that is required in order to develop upgrades, updates and patches to the software. For this reason no other source other than a Tenable authorized reseller can provide the required software maintenance for the Tenable products.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section eight of this justification. This effort did not yield any additional sources that can meet the Government's requirements. It was determined that limited competition is viable among authorized resellers for the required brand name Tenable software maintenance. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), notice of award of this action will be synopsized and this justification will be made publicly available within 14 days of award on the Federal Business Opportunities Page. 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: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will work with the program office to continue to perform market research to consider and ascertain if any other sources can provide these services in the future. Specifically the Government will continue to investigate alternatives to Tenable software maintenance that may be compatible with the current infrastructure, or whether Tenable permits third parties to access its proprietary software to provide maintenance and support. VA technical experts will conduct this market research throughout the year.
8. Market Research: In July 2017, the Government's technical experts reviewed similar software products to include their ability to provide software maintenance to ascertain if they could meet VA's requirements. The Government's technical experts conducted web-based research on web sites by researching other similar software from International Business Machines Corporation, Core Security Technologies, and Rapid7 to ascertain if other products could meet the Government's requirements for interoperability and compatibility with EO's existing Tenable software. As a result of the market research the technical experts confirmed that the source code required to issue the upgrades, updates and patches

is proprietary, Tenable is the only source capable of providing the required maintenance and upgrades for Tenable software. No other firm has the capability of developing and issuing software upgrades and patches for Tenable software necessary to support existing EO requirements. Based on the above, only Tenable software maintenance meets all of the Government's requirements.

Additional market research was conducted in August 2017 by publishing Request for Information (RFI) VA118-17-N-2524 to the Federal Opportunities Page, closing on September 1, 2017 to identify any additional authorized resellers. No responses were received to this RFI. Further Market Research was conducted in September 2017 by utilizing the NASA SEWP Provider Lookup tool to determine whether the brand name Tenable software maintenance is available from NASA SEWP V GWAC holders that are authorized resellers. It was determined that there are several authorized resellers of the brand name Tenable software maintenance that hold current GWACs, therefore, limited competition is anticipated.

9. Other Facts: None.