

## JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Procurement, Acquisition and Logistics  
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 Space Administration (NASA) Solutions for Enterprise Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC) for the renewal of brand name Dell/Quest software maintenance.
  
3. Description of Supplies or Services: VA, Office of Information and Technology (OI&T), Service Delivery and Engineering , Enterprise Systems Engineering has a requirement to renew the maintenance for 531,050 existing VA-owned Dell/Quest ChangeAuditor perpetual software licenses to support the Microsoft Active Directory (AD) environment managed in VA domain controller hardware. The software licenses are installed on servers within the VA enterprise supporting Microsoft AD. Dell/Quest ChangeAuditor for AD is an auditing tool that tracks, reports and provides alerts of configuration changes to the Microsoft AD in real time. The required maintenance support includes software upgrades, troubleshooting, break-fix repair, and technical support. The maintenance ensures the software remains operational throughout its use. This requirement is only for services, no software is being renewed or procured. VA anticipates utilizing this software for a minimum of five years and requires services for that length. The period of performance shall be a 12 month base period with four 12-month option periods.
  
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is 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 of highly specialized."
  
5. Rationale Supporting Use of Authority Cited Above: Based on the market research, there are multiple resellers of this brand name support and limited competition is anticipated. Dell/Quest or its authorized resellers are the only sources that can provide the required maintenance for the Dell/Quest ChangeAuditor software. No other source is capable of providing the required maintenance, as only Dell/Quest or its authorized resellers possess the proprietary technical data for the ChangeAuditor software. This technical data allows source code level access to the fundamental elements of the software which is essential for technical support, software version control, and updates. Also, any other source needs access to the code to ensure all services are properly configured. Without access to this code updates and upgrades cannot be developed

and pushed to the currently fielded software due to the proprietary constraints in the software's architecture. It is critical to OI&T that the aforementioned software licenses are maintained and updated. ChangeAuditor performs correlations between the change and the user granting or removing privileges in which other built-in or VA owned tools do not provide. Failure to renew maintenance and technical support for these licenses would prevent the required monitoring, auditing and reporting on events in the AD.

Additionally, no other brand of software would be able to interoperate with the current installation base which is comprised of Dell/Quest ChangeAuditor for AD software. Due to the Dell/Quest proprietary source code that is required to interoperate with the existing ChangeAuditor infrastructure and install base, no other software product is interoperable or compatible with the currently fielded ChangeAuditor infrastructure. Specifically, software, other than the Dell/Quest ChangeAuditor software, would not communicate with the existing infrastructure, which is critical to meet VA's needs.

Likewise, VA has functional requirements that no other brand name software can meet other than the Dell/Quest ChangeAuditor Software. Specifically, VA requires that the auditing software provide database archiving. No other auditing software can provide this functionality. In addition, VA has a requirement that any auditing software used in its current infrastructure block access to the windows security logs to any individual without privileges to those logs. No other software can provide this functionality.

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 that limited competition is anticipated among authorized resellers for this brand name item. In accordance with FAR 5.301 and 16.505, this action is not required to be synopsisized on the Federal Business Opportunities Page upon award. The Brand Name justification will be made publicly available on NASA SEWP website with the solicitation.

7. Actions to Increase Competition: In order to remove barriers to competition for future acquisitions, the agency will work with the program office to perform additional market research to consider alternate software solutions.

8. Market Research: Market research was conducted in January 2018 to determine whether any other source can provide the software or maintenance support for the existing Dell/Quest ChangeAuditor licenses required to meet the Government's need. The Government's technical experts researched maintenance support service plans and software offered by similar providers such as Manage Engine (AdAudit Plus), Netwrix (AD Auditor), and BeyondTrust (AD Auditing) to determine if any were capable of meeting the Government's software functional requirements. Market research determined that although these companies and their software products could provide similar maintenance support for their competing products, they could not access proprietary Dell/Quest ChangeAuditor for AD software required to provide the necessary maintenance services. Only Dell/Quest and its authorized resellers have access to the

proprietary technical data for the existing Dell/Quest ChangeAuditor perpetual licenses to provide maintenance and support the AD environment. In addition, the Government's technical experts reviewed similar software from Manage Engine (AdAudit Plus), Netwix (AD Auditor), and BeyondTrust (AD Auditing). After reviewing these other software products, the Government's technical experts determined that none of these items could meet VA's need due to the interoperability and compatibility requirements discussed in paragraph 5 of this justification. ChangeAuditor tracks and audits events without the Windows event IDs and stores all information within its own separate database unlike any other product currently on the market.

9. Other Facts: N/A

10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.