

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 the Action: This 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 Dell EMC Virtual Computing Environment (VCE) vBlock premium maintenance support for previously purchased VCE vBlock Systems 340.
3. Description of Supplies or Services: VA, Veterans Health Administration (VHA), Veterans Integrated Service Networks (VISN) 8 Biomedical serviced by the Office of Information and Technology (OI&T), Service Delivery and Engineering (SDE) has a requirement for Dell EMC VCE vBlock premium maintenance support for previously purchased Dell EMC VCE vBlock Systems 340, which is comprised of hardware and software. VISN 8 purchased eight Dell EMC VCE vBlock Systems 340 in 2014 which consists of virtualization software, blade servers, switches, and storage devices which constitutes the Converged Infrastructure (CVI). There are eight VA Medical Centers (VAMC) currently utilizing this CVI to support server virtualization operations, site Files Shares, and critical medical and administrative systems. There are three large systems located at Gainesville, Tampa and Lakemont (Orlando) VAMCs and five small systems located at Bay Pines, Miami, San Juan, West Palm Beach and Lake Nona (Orlando) VAMCs. The existing CVI is vital to provide high-availability virtualized servers including fault-tolerance, in-use migrations, all in support of clinical and administrative use cases, resulting in zero loss of data. The premium maintenance support on the previously purchased hardware provides 24 hour a day, seven (7) days a week, 365 days a year (24X7X365) technical support with initial technical response based on the severity level of the problem. If an onsite response is deemed necessary by VA, the Contractor shall send authorized personnel to the site. Additionally, the Contractor shall provide replacement parts within designated severity level response times. The premium maintenance support on the previously purchased software consists of 24X7X365 direct access to the technical support team. Additionally, the premium maintenance includes online support providing access to software and firmware updates to include major releases, point releases, service releases and security releases applicable to the software and firmware. The Contractor shall provide and perform installation of all new software releases as well as provide 24X7X365 remote monitoring and repair. No software will be renewed nor will new software will be procured under this proposed action. The Dell EMC VCE vBlock premium maintenance support for the vBlock System 340 is required to ensure the CVI remain operational. The period of performance is a 12-month base period, with two, 12-month option periods.

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) 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 8 of this justification, it was determined that limited competition is available among authorized resellers for the Dell EMC VCE vBlock premium maintenance support for the vBlock System 340. The aforementioned Dell EMC VCE vBlock premium maintenance support is the only maintenance service that can meet the critical requirements to support the current VA Dell EMC VCE vBlock System 340 CVI used by VISN 8 at the eight VAMCs. The CVI has a wide variety of networked medical devices used for radiology images (PACS), radiology voice recognition, radiology dose monitoring, clinical information systems, EKG storage, and cardiology PACS. All of these medical devices are behind Medical Device Isolation Architecture Access Control Lists (MDIA ACL). These virtual medical systems servers are mission critical to the healthcare of our Veteran population. The Dell EMC VCE vBlock premium maintenance support for the vBlock Systems 340 is required due to systems interoperability of the existing CVI, and allows access to the proprietary code, and update releases synchronization. The vBlock Systems 340 multiple pieces of hardware and software and their respective support efforts are highly dependent on one another. VA's only requirement is to continue the premium maintenance support for Dell EMC VCE vBlock system 340 CVI. In order to provide the software premium maintenance support, including software updates, access to Dell EMC VCE vBlock proprietary source code is required. This proprietary source code is required to ensure the services provided are properly configured. No other software maintenance other than the Dell EMC premium maintenance is compatible with or interoperable with the existing Dell EMC VCE vBlock CVI due to proprietary database structures, protocols and software application programming interfaces. The lack of interoperability, such as the ability of a different vendor's agent to communicate with another vendor's data collector, is standard throughout the performance monitoring industry. In order to keep the hardware maintained, Dell EMC VCE vBlock brand name replacement parts are required. Only Dell EMC VCE or authorized resellers can provide the brand name hardware to keep the hardware operational, which is critical to meeting VA's requirements. Specifically no other items can meet the VA's form, fit, and function requirements. Use of any other brand name hardware would not fit into the current deployed hardware due to the proprietary design of the Dell EMC VCE vBlock Systems 340 CVI. Use of any other brand name hardware will result in inoperable CVI. Dell EMC VCE vBlock premium maintenance is the only maintenance that meets the Government's vBlock Systems 340 maintenance requirements.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. It was determined that limited competition is available among authorized resellers for the brand name Dell EMC VCE

vBlock Systems 340 premium maintenance support. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), this action will be synopsisized and the justification will be made publicly available on the Federal Business Opportunities Page within 14 days of award. The justification will also be posted to the NASA SEWP V GWAC website along with the Request for Quotation.

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 conduct market research to ascertain if there are changes in the market place that would enable future actions to be fully competed.

8. Market Research: VA, Office of Information and Technology, Enterprise Service Line (ESL) Storage Team and VHA Biomedical engineering in VISN 8 performed market research in February 2018 by conducting internet searches. VA researched vendors such as NetApp, Hitachi, and Nutanix for similar maintenance support. Based on the reviews, the Government's technical experts determined that none of the other vendor's maintenance support can meet the Government's interoperability and compatibility requirements. Although the vendors can provide maintenance to their unique systems, they are unable to provide the premium maintenance support required for the Dell EMC VCE vBlock Systems 340 CVI due to proprietary code.

Additional market research was conducted in February 2018 by posting a Request for Information (RFI) on both the Federal Business Opportunities (FBO) website and NASA SEWP GWAC. Two (2) responses were received from FBO and seven (7) responses were received from NASA SEWP. The nine responses demonstrated capabilities that meet the Government's requirements. However, It was determined that there are several authorized resellers of the required brand name Dell EMC VCE vBlock Systems 340 premium maintenance that hold current GWACs on NASA SEWP, therefore, limited competition is anticipated.

9. Other Facts: None.