

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
1701 Directors Boulevard Suite 600
Austin Texas 78744
2. Description of Action: This proposed action is to include brand name specifications in 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).
3. Description of the Supplies or Services: VA Office of Information Technology, Service Operations (ITOPS), has a requirement for a brand name Cisco Unified Communications Manager (CUCM) Voice over Internet Protocol (VoIP) Voice System (VS) at the Minneapolis VAMC Building 222 located at 1 Veterans Drive, Minneapolis, MN 55417. This will provide the Building with digital/analog/IP voice capabilities needed to seamlessly interconnect with the pre-existing Cisco VS's in place at all locations within VISN 23. These additions are necessary to provide uninterrupted access, ease of scalability and secure continued readiness in response to the increase in demand for the existing deployed platform already in place. The period of performance will be 30 days from date of award. The total estimated price of the proposed action is \$403,385.60.
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 Above: Based on market research, as described in section 8 of this justification, VA has determined that limited competition is viable among authorized resellers of brand name Cisco VoIP hardware and software. Only Cisco or its authorized resellers has the capability to satisfy this requirement. Only Cisco or an authorized reseller can provide the necessary products for the expansion of the existing Cisco VoIP, Voice Mail, Automated Call Distribution licensing, software and hardware components currently deployed throughout the VISN 23 voice network. Because Cisco operates within its own proprietary constraints, no other brand name product can communicate with those items as required by VA. Routers, switches, licenses, and other identified equipment must be fully electronically, logically (software) and physically (hardware) compatible with Cisco. Use of any other brand name product will result in interoperability issues and outage of the entire VISN. Because the Minneapolis VAMC must communicate and share data with other sites within VISN 23 that are totally dependent on or are transitioning to Cisco items, use of

any other brand would result in interoperability and compatibility issues thereby hindering service to veterans on a regional scale.

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 5.301 and 16.505(b)(2)(ii)(D), this action will not be synopsisized, and the justification will not be made publicly available within 14 days of award on the Federal Business Opportunities Page as the total estimated value is below the simplified acquisition threshold.

7. Actions to Increase Competition: 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 competed.

8. Market Research: The Government's technical experts conducted market research during January 2018 by reviewing similar hardware and software products to ascertain if other brands could meet VA's functionality requirements. Specifically, the Government's technical experts conducted web based research and discovered that while other VoIP hardware and software solutions from alternative manufacturers such as Blackbox and Brocade exists, it does not meet VA's requirements because only Cisco or an authorized reseller has access to the proprietary database and structure specific to the expansion requirement to interconnect with the VS's in place. Therefore, at present there is no other hardware or software available in the market place that can meet this requirement. In addition, VA networking Subject Matter Experts regularly review industry trade publications and conduct internet research to ascertain if any other brand name hardware or software is available. Based on all of these market research efforts, the Government's technical experts have determined that only the aforementioned Cisco brand name hardware and software can meet all of the VA's needs.

Additional market research was conducted in January 2018 by utilizing the NASA SEWP V GWAC Provider Look-up Tool to determine whether Cisco products are available from resellers that hold NASA SEWP V GWAC. It was determined that there are multiple prospective resellers of Cisco products under the NASA SEWP V GWAC.

9. Other Facts: None.

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.

Klay Schmidt

Date: 5/8/2017

UCIS CTA

Signature: Klay Schmidt

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable as the NASA SEWP V GWAC prices have previously been determined to be fair and reasonable. In addition, price competition is expected among authorized resellers for this action. Finally, the successful quote will be compared to the Independent Government Cost Estimate.

Lino Vera

Date: 5-8-2018

Procuring Contracting Officer

Signature: [Signature]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$700,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

Lino Vera

Date: 5-8-2018

Procuring Contracting Officer

Signature: [Signature]