

Date: 20 July 2012

**JUSTIFICATION AND APPROVAL
FOR EXCEPTION TO FAIR OPPORTUNITY**

- 1. Contracting Activity:** Department of Veterans Affairs
Office of Acquisition and Logistics
Technology Acquisition Center
260 Industrial Way West
Eatontown, NJ 07724

2. Description of Action:

The proposed effort is for a Firm Fixed Price (FFP) order for licenses as well as implementation, support, and maintenance services for CA Technologies' Provisioning software for the Office of Information and Technology (OIT) Enterprise Testing Services (ETS). The period of performance is 12 months of maintenance/support with two (2) 12 month option periods for additional years of maintenance and support.

3. Description of Supplies or Services:

The subject procurement is for licenses as well as implementation, support, and maintenance services for brand name CA Technologies' Provisioning Software in support of OIT ETS preproduction testing lab. Licenses are required for CA Automation Suite for Clouds Base Configuration, CA Automation Suite for Clouds Capacity Expansion and CA Server Automation Rapid Server Imaging. The aforementioned software will be used to automate many of the processes within the ETS test lab along with saving the ETS test engineers a significant amount of configuration time and improving the efficiency of the testing process. In addition, it will accelerate ETS's ability to complete the testing process and provide test lab results to its customers.

Support services shall include access to the manufacturer's approved support resources such as help-desk and consultation services for the purposes of resolving problems, issues, and questions concerning the existing installation of software as well as any additional software acquired under the terms of this delivery order. For maintenance services, the contractor shall provide all applicable software updates, release and patches as released by the software manufacturer.

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Implementation services shall include the following:

- Analyze VA physical and virtual environment
- Document Gaps in the environment and provide a prescriptive Remediation Roadmap
- Review the system architecture and pre-requisites for CA Automation Suite for Clouds implementation
- Installation and configuration of components including pre-configured content (process flows, custom forms, etc.)
- Post-installation configuration
- Knowledge transfer on all solutions and integrations for operational management

The total estimated price of the proposed action is \$441,948.48.

4. Statutory Authority:

Statutory authorities permitting an exception to fair opportunity is Section 41 U.S.C. 253J(b) as implemented by the Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2), entitled "Exceptions to the fair opportunity process," only one awardee is capable of providing the supplies or services ordered are uniquely or highly specialized.

5. Rationale Supporting Use of Authority Cited Above:

This procurement will support the building of ETS's preproduction testing lab which will verify the applications and architectures that are planned to be deployed into production. To achieve this capability ETS will be required to install, configure and manage numerous server platforms. CA Technologies has taken a holistic management approach to the provisioning of physical and virtualized servers. This comprehensive solution is unique among software vendors because rather than developing several different software applications to accomplish the provisioning task for a server environment, CA provides an integrated solution. Specifically, CA Provisioning software has the unique ability to prototype configurations allowing engineers to test, exam and modify the configurations prior to building it. In addition, the CA provisioning software tools will integrate with the existing installation of CA products and third-party applications (e.g. VMWare). This compatibility with existing products is crucial to providing a comprehensive, single-point of access capability for rapid provisioning of environments. Along with the modeling

functions, CA Provisioning software can also automate many of processes needed to build the test lab equipment (servers).

Because of the automation capability provided by CA Provisioning software suite, ETS will have the ability to rapidly configure testing environments saving an enormous amount of engineering time and freeing up system engineers to perform other task in support of the testing lab. In short, CA's provisioning software's features and capabilities are unique among the other vendor's products reviewed by government experts because of the unified management approach taken. As stated in the Market Research section, Government technical experts conducted market research on various products and found that only CA Provisioning Software has the unique features to meet all of the Governments' requirements.

6. Efforts to Obtain Competition:

Market research was conducted, details of which are in the market research section of this document. Limited competition is anticipated for the required brand name items and services. Furthermore, in accordance with FAR 5.3 the contract award will be synopsisized on the Federal Business Opportunities (FedBizOps) page. In addition, this J&A will be made publicly available on the FedBizOps page.

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 perform additional market research in a timely manner so that other solutions can be considered.

8. Market Research:

Market research was conducted by the government's technical experts during July 2012 by conducting searches on competitors' websites and comparing the published specifications. Based on this market research it was determined that while other sources may have the general capabilities needed to perform the type of work associated with this effort, only CA provisioning tools can provide the comprehensive and integrated solution that is required. In addition to CA, other companies identified included software products from International Business Machines Corporation (IBM) and Hewlett Packard (HP). Although these companies may be able to provide general server provisioning capabilities, none have the capabilities needed for ETS's test lab.

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In accordance with VA Policy, the NASA SEWP IV contract is the recommended VA consideration for the acquisition of Information Technology (IT) hardware and software. The contract specialist conducted additional market research in July 2012 by using the NASA SEWP IV Product Verification and Manufacturer Lookup tools. The SEWP contract holders are divided into four groups, Group A (Value Added Resellers (VAR) and Computer System Original Equipment Manufacturer (OEM), Group B (Service-Disabled Veteran Owned Small Businesses), Group C (Small Business Set-Asides) and Group D (VARs). The search found 29 resellers of the CA Inc. product line are current contract holders. Of these re-sellers, four (4) are from Group A, six (6) are from Group B, 11 are from group C, and 12 are from Group D. Four (4) of the vendors are part of two groups, thus the Delta between resellers. In light of the market research and in accordance with FAR 19.140-5 the Contracting Officer determines there is a reasonable expectation of obtaining offers from two or more responsible SDVOSB concerns that are competitive in terms of market prices, and as a result will solicit to Group B. If no responses are received from Group B, the Contracting Officer will re-release the solicitation to include all small business concerns.

Any other facts supporting the use of other than full and open competition:

None