

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
1701 Directors Blvd
Austin, TX 78744

2. Description of Action: The 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 brand name Cisco network hardware.

3. Description of the Supplies or Services: VA, Office of Information and Technology, Enterprise Program Management Office (ePMO) has a requirement for ancillary IT equipment for Continuous Diagnostics and Mitigation. A portion of this requirement requires Cisco brand name 10Gig line cards. The period of performance is for delivery of all hardware within 30 days after receipt of award, and includes an option for increased quantities, which may be exercised at any point within 3-months of delivery order award. The estimated dollar value for the total action is [REDACTED], inclusive of the option requirements. The total estimated value of only the Cisco brand name equipment is [REDACTED]

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 Above: Based on market research, as described in section eight of this document, the Government has determined that limited competition is available for this action among resellers for the required Cisco hardware. VA currently utilized Cisco 6800 series core switches. No other source can provide the required hardware as only Cisco or its authorized resellers have access to the required proprietary Cisco hardware which will allow VA to upgrade existing Cisco 6800 series core switches to provide the additional port capacity at VA network sites. Additional port capacity is necessary to expand network capacity and to guarantee Cisco support of existing and new equipment is not voided. Specifically, no other hardware can meet VA form, fit, and function requirements. Non-Cisco Ethernet fiber modules are not compatible with the Cisco switch these will be installed into. The current infrastructure is comprised of only Cisco hardware and use of any other parts will not fit within the current architecture and render the existing hardware and software infrastructure inoperable. In addition, no other replacement parts can meet VA's interoperability and compatibility requirements.

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 this brand name Cisco hardware. 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 of the order. The justification will be posted with the solicitation on the NASA SEWP V GWAC website in accordance with FAR 16.505(a)(4)(iii)(A)(1).

7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be competed. ePMO will continue to monitor the market for availability of other solutions that are compatible with VA's infrastructure.

8. Market Research: The Government's technical experts conducted market research during April and May 2018 by reviewing other products similar to the Cisco products previously acquired by VA. Specifically, the Government's technical experts reviewed existing Cisco hardware requirements and other products such as Arista Networks and Juniper Networks to determine whether any other sources can provide the required hardware products. Arista Networks and Juniper Networks are not compatible with the current Cisco 6500E chassis.. The Cisco 10Gb line card is considered a subcomponent of the end component (6500E) chassis and it is the only item currently available to support the current Cisco network switch chassis configured at the VA. Based on this review of similar brand name hardware products, it was determined that no other source could provide hardware as every other source, other than Cisco's resellers, lacked access to the hardware. Only Cisco or its authorized resellers can provide the required hardware to meet VA form, fit, and function requirements for the current architecture to prevent rendering the existing hardware and software infrastructure inoperable (i.e., Non-Cisco Ethernet fiber modules are not compatible with the Cisco switch these will be installed into). In addition, no other replacement parts can meet VA's interoperability and compatibility requirements.

The Contract Specialist (CS) conducted market research in June 2018 by using the NASA SEWP V GWAC Market Research tools to determine what vendors are capable of meeting the requirement. Based on this market research, the CS found multiple service-disabled Veteran-owned small businesses (SDVOSB) capable of meeting the full requirement.

9. Other Facts: None.

