

## 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 the issuance of a Firm-Fixed Price Delivery Order under a National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government-wide Acquisition Contract (GWAC) for brand name or equivalent Mist hardware and software, brand name Cisco hardware and software, and ancillary services.
3. Description of the Supplies or Services: The Department of Veterans Affairs (VA), Veterans Integrated Service Network (VISN) 8, requires brand name or equivalent Mist hardware and software, brand name Cisco hardware and software, and ancillary services to provide additional Veterans Guest Internet Access (VGIA) services to be extended throughout eight (8) VA Medical Centers (VAMCs), including remote buildings identified as Outpatient Clinics (OPCs) and Community Based Outpatient Clinics (CBOCs) or annexes. This requirement is to provide a complete wireless solution to the aforementioned eight (8) VAMCs. The Cisco and brand name or equivalent Mist hardware and software items must interface with each other to provide the wireless capabilities and therefore cannot be separated. In addition, under this proposed action, installation services are required to install and configure the Cisco and brand name or equivalent Mist hardware and software items. This installation and configuration aspect further requires both the Cisco and brand name or equivalent Mist hardware and software to be procured under one contract action. While these services do not have to be performed by a Cisco authorized reseller, any source must have access to both items concurrently in order to provide the complete wireless solution VA requires. The additional coverage areas shall be provided as an extension to the existing VGIA wide area network whose head-end is at the Orlando VAMC at Lake Nona, Florida. The Orlando head-end provides all centralized services for all the other locations in a hub and spoke design. All remote sites are dependent on connecting securely to the Lake Nona head-end for operations, management, reporting, and monitoring via Virtual Private Local Area Network (LAN) Service circuits and/or dedicated internet access circuits. Additionally, options will be included to allow for the procurement of additional wireless access points, compatible mounting brackets, routers, switches, software licenses, ancillary services and relevant report, if deemed necessary. The performance period for this requirement consists of a one (1)-year warranty, as required, following installation of all hardware, which shall be completed with thirteen months of award. The total estimated value of the proposed action is [REDACTED], inclusive of options; however, the total estimated value for the brand name Cisco hardware and software is [REDACTED].
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) 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 or highly specialized.”

5. Rationale Supporting Use of Authority Cited Above: Based on extensive market research, as described in section 8 of this justification, it was determined that limited competition is viable among authorized resellers of the required brand name Cisco hardware and software. Cisco Systems is the Original Equipment Manufacturer of the respective routers and switches located throughout VISN 8. Due to the Government's requirement to expand the existing VGIA throughout eight (8) VAMCs, including remote buildings identified as OPCs and CBOCs or annexes, the Government requires Cisco hardware, consisting of routers and networking switches, for this procurement to ensure complete compatibility and interoperability with the existing Cisco equipment currently deployed. Attempting to directly integrate another original equipment manufacturer's (OEM's) network switches and routers to the existing Cisco stack is not possible due to proprietary hardware stacking cables and interdevice communication protocol. Cisco has proprietary communication protocols on its switches that allow computers to interoperate. Interchanging switch manufacturers would pose a potential threat to the network environment that could result in an outage. Adding another OEM hardware as stand-alone equipment prevents the ability to configure and maintain all the stacks as a single integrated entity and creates a new network segment which would require independent management from the rest. An integrated network stack ensures network operational resilience operation in the event that any single component in the stack fails.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. This effort did not yield any additional sources that can meet the Government's requirements other than Cisco or its authorized resellers. Although the Government is limiting competition as a result of specifying a brand name, limited competition is viable among authorized resellers for the required brand name Cisco hardware and software. In accordance with FAR 16.505(a)(4)(iii)(A)(1), this justification will be provided with the solicitation to all appropriate NASA SEWP V GWAC holders. Furthermore, in accordance with FAR 5.301, 16.505(b)(2)(ii)(D), and 16.505(a)(4)(iii), the award notice for this action will be synopsized on the Federal Business Opportunities website and this justification will be made publicly available within 14 days of award.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for the requirements described herein, the agency will continue to perform market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.

8. Market Research: The Government's technical experts conducted market research by reviewing other similar equipment through web based research. This market research is an ongoing process starting in 2013 and continuously being conducted, as recently as May 2018. The other similar equipment reviewed included Meraki, Aruba, Xirrus, Purple and Sophos. Based on reviews of these products, the Government's

technical experts determined that none of these products can meet the Government's interoperability and compatibility requirements previously discussed. Specifically, none of the products reviewed are capable of fully integrating with the existing array of Cisco switches and routers in order to function as a single logical system, as required, because only Cisco or an authorized reseller has access to the proprietary database and structure specific to the expansion requirement to interconnect with the existing VA brand name Cisco network platform. Based on all of these market research efforts, the Government's technical experts have determined that only Cisco brand name hardware and software licenses can meet all of the VA's needs.

Additional market research was conducted in August 2018 by the Contract Specialist. The NASA SEWP V Provider Lookup tool was used to identify GWAC holders offering brand name Cisco products. This research indicated that 139 NASA SEWP V GWAC holders offer brand name Cisco products as resellers. These 139 GWAC holders include 26 Vendor Information Pages-verified Service-disabled Veteran-owned Small Business resellers.

9. Other Facts: None