

Justification for Other than Full and Open Competition
Coordination Matrix



Jeff Bishop
Director

7/23/18
Date

Concur/Non-Concur

Technology Acquisition Center-Austin (0032B2H)
Office of Acquisition Operation
Department of Veterans Affairs

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Procurement, Acquisition and Logistics
Technology Acquisition Center - Austin
1701 Directors Blvd, STE 600
Austin, Texas 78744
2. Description of 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 Government Wide Acquisition Contract (GWAC) for International Business Machines (IBM) QRadar software maintenance.
3. Description of Supplies or Services: The proposed action is for brand name IBM QRadar software maintenance for VA, Office of Information and Technology (OI&T), IT Operations and Services (IO). The software maintenance will consist of minor software upgrades and updates to include major releases that are dependent on previous version, point releases, service releases and security releases of applicable software on a quarterly basis, and/or within 48 hours in cases in which a high risk vulnerability fix becomes available. This maintenance is necessary for IO to be able to operate successfully. The maintenance is required to ensure the software remains operational. No software will be renewed or procured under this proposed action. The period of performance is from October 1, 2018 – September 30, 2019. The estimated price of the proposed action is \$2,461,962.93.
4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is Section 41 U.S.C 4106(c)(2) as implemented by Federal Acquisition Regulation (FAR) Section 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 extensive market research, as described in paragraph 8 of this document, it was determined that limited competition is viable among authorized resellers for the brand name QRadar, software maintenance and update support as described in section 3 of this justification. The current IO infrastructure is based on existing QRadar software and VA requires support compatible with the existing infrastructure protocols and functionality for continued operational availability. VA requires maintenance consisting of software upgrades and updates to include major releases, point releases, service releases of applicable software on a quarterly basis, or within 48 hours in cases where a high risk vulnerability fix becomes available. The software updates are required for QRadar Software Maintenance Support. Only QRadar or an authorized reseller can provide the necessary software maintenance and updates, because of the propriety source code required to develop and implement software updates. Access to this code is also needed to ensure all services provided are

properly configured. No other source is capable of providing the required software maintenance that meets VA's unique functional requirements. In addition, a prior implementation of QRadar, software licenses already exists in IO. Acquisition of a different product, even if another one existed with qualifications that met VA's stated functional needs, would require duplicated costs if the QRadar software licenses were abandoned in favor of a different product and IO would need to re-purchase the initial software licenses previously purchased. In addition, no other license is compatible with or interoperable with the existing QRadar, proprietary database structures, protocols, and software application programming interfaces. The brand name QRadar software maintenance is the only software maintenance that meets the Government's requirements.

6. Efforts to Obtain Competition: Market Research was conducted, details of which are in the market research section. It was determined; however, limited competition is viable among authorized resellers for this DSS brand name software licenses and maintenance support services. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsisized at award on the Federal Business Opportunities Page (FBO) within 14 days of award of the order. The justification will also be posted with the solicitation of 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 fully competed.
8. Market Research: QRadar is a commercially available off-the-shelf software license package currently in use in VA. While conducting market research in March 2018 the Government's technical experts reviewed similar software products and services to ascertain if these items could meet VA's requirements. Specifically, the Government's technical experts reviewed FireEye Security and Malware protection, VSS Monitoring, and Imperva Web Application Security. As a result of the market research the technical experts confirmed that as the source code required to issue the updates is proprietary, QRadar is the only source capable of providing the required maintenance and upgrades for QRadar software. No other firm has the capability of developing and issuing software updates and fixes for QRadar software necessary to support existing IO requirements. All of the products researched were unable to meet the functional requirements as stated in paragraph 5. The performance functional requirements detailed in paragraph 5 and integration with existing installed software and no other product other than QRadar software are able to meet these requirements. Additionally, none of these other software products could meet VA's interoperability and compatibility requirements as outlined in paragraph 5 of this document. Based on the above, only QRadar software licenses and maintenance meets all of the Government's requirements.

The Contract Specialist (CS) conducted market research in July 2018 by using the NASA SEWP V GWAC Market Research Tool and found resellers capable of meeting the full requirement.

9. Other Facts: N/A

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.

Benito Urbina

Date: _____

Project Manager

Signature: _____

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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 based on the Independent Government Cost Estimate. Pricing for products awarded on NASA SEWP V GWAC have already been determined to be fair and reasonable. Additionally, price competition is expected among authorized resellers for this action. Additional price analysis may be performed in accordance with FAR 15.404-1(b).

Lino Vera

Date: 8-1-2018

Procuring Contracting Officer

Signature: _____

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

Lino Vera

Date: 8-1-2018

Procuring Contracting Officer

Signature: _____

Approval

In my role as procuring activity Advocate for Competition, based on the foregoing justification, I hereby approve the acquisition of brand name QRadar software maintenance. This action will be issued on an other than fair opportunity basis pursuant to the authority cited in paragraph 4 above, and provided that the services herein described have otherwise been authorized for acquisition.

Date: 8-2-18

Signature: _____



Ronald J. Bakay
Advocate for Competition
Technology Acquisition Center
Office of Procurement, Acquisition and
Logistics