

JUSTIFICATION AND APPROVAL  
FOR EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
1701 Directors Blvd, Suite 600  
Austin, TX 78744
2. Description of Action: This proposed action is for a firm-fixed-price (FFP) delivery order to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government Wide Acquisition Contract (GWAC), for Fortress Technologies brand hardware and software maintenance for current Fortress Technologies equipment used to secure wireless communications at VA locations nationwide. The period of performance will be a six-month base period with one twelve-month option. This action will also include a six-month option to extend services in accordance with Federal Acquisition Regulation (FAR) 52.217-8.
3. Description of Supplies or Services: VA Veterans Health Administration (VHA) has implemented wireless networks throughout its 167 primary healthcare facilities in North America. It secures the wireless networks through the use of commercially available technologies on a wide variety of wireless access points and wireless devices throughout VA healthcare facilities, Consolidated Mail Outpatient Pharmacy (CMOP) sites and Office of Information Technology (OIT) field offices. VA requires maintenance and support which covers all Fortress Gateway Hardware, Fortress Firmware, Fortress Client Software and Fortress Management and Policy Access Server (MaPS) or Access Control Server (ACS) management consoles. Maintenance support includes 24x7 critical application support, technical support by means of email or telephone providing incident solutions, ongoing distribution of access to new features, maintenance releases, bug fixes, and upgrades on an annual basis. The total estimated value of the proposed action, including options, is \$4,139,988.94.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c) as implemented by FAR Subpart 16.505(b)(2)(i)(B), 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 paragraph 8 of this document, limited competition is viable among authorized resellers for maintenance of this brand name hardware and software. This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Fortress Technologies provides VA's current wireless network solution. The Fortress Technologies hardware and software maintenance is mission critical and is needed for the continued support of both the facilities' medical

networks and wireless communications, and the AirDefense 24x7 wireless monitoring solution which controls the airspace surrounding the facilities' secure wireless networks. Fortress Technologies is the only service brand capable of providing the required hardware and software maintenance and is the only service that ensures the current Fortress Technologies' equipment remains operational while still meeting all of VA's functional and security needs. This is in accordance with Fortress Technologies' Non-Proprietary Security Policy for the Federal Information Processing Standards (FIPS) 140-2 Validated Airfortress Wireless Security Gateway Cryptographic Module Version 2.4. This security policy defines general rules, regulations, and practices under which the currently installed Fortress hardware and software were designed and developed and for their correct operation. This policy stipulates that only a Fortress Technologies security engineer can perform physical maintenance of the hardware devices on which Fortress products are installed. Software upgrades are provided to the customer by Fortress Technologies. As a result, choosing a different brand of hardware and software maintenance would require the immediate replacement of all Fortress hardware and software at VA's 167 primary healthcare facilities which would result in substantial duplication of cost and delivery delays that will not be recovered through competition. There is a current effort to replace all Air Fortress equipment and software, which was originally installed in 2004, under the National Wireless Project. However, Fortress Technologies hardware and software maintenance is required to maintain continuity of operations until completion of the National Wireless Project. FIPS compliant drivers for Windows XP are currently configured in the Fortress Gateways and software. VA requires specialized drivers for some of the equipment. The National Wireless Project is having those drivers developed for the Windows 7 operating system, not Windows XP. As a result, even though certain sites have been completed in the National Wireless Project, they still need Fortress Technologies hardware and software maintenance until VA proprietary devices can be transitioned to Windows 7 in a FIPS-compliant manner. It is estimated that this will take two years to complete.

6. Efforts to Obtain Competition: Based on the results of the market research, limited competition is anticipated for the required brand name maintenance service. This Justification and Approval and the Request for Quote (RFQ) will be submitted to all four NASA SEWP IV GWAC groups in order to fully notify all interested parties. Due to the presence of sufficient small business, quotes will be evaluated from only groups B (Service-Disabled Veteran-Owned Small Businesses) and C (Small Businesses). Furthermore, in accordance with FAR 5.301 and 16.505(b)(2)(D)(1)(i), this action will be synopsisized at award on the Federal Business Opportunities Page (FBO) and the justification will be made publicly available.
7. Actions to Increase Competition: As long as VA continues to own Fortress Technologies hardware and software to secure its wireless communications, it will require continued maintenance and upgrades. However, in order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will perform additional market research so that other solutions can be considered. In addition, as previously indicated in paragraph 5 of this justification,

VA intends to transition away from the Fortress Technologies solution under the National Wireless Project in the next two years. This effort will ensure future actions will be competed.

8. Market Research: Market research was conducted by the program manager by issuing a Request for Information (RFI) on the NASA SEWP IV GWAC on February 8, 2012. The intent of the RFI was to ascertain the ability of any other sources to meet VA's needs. Responses were received from three interested contract holders. The interested contract holders were categorized as follows: one Large Business, one Small Business, and one Service-Disabled Veteran-Owned Small business. While it was not a requirement, all three interested contract holders were confirmed to be authorized resellers. Based on this market research, limited competition amongst Fortress Technologies resellers is expected for this proposed action.
9. Other Facts: None.