

JUSTIFICATION AND APPROVAL
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
260 Industrial Way West
Eatontown, NJ 07724

2. Description of Action: The proposed action is for a Firm-Fixed-Price Task Order (TO) issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government Wide Acquisition Contract (GWAC). VA Office of Information Technology (OIT) Enterprise Systems Engineering (ESE) Enterprise Messaging requires the renewal of hardware and software maintenance support with Archive Monitoring Service for the existing Information Technology (IT) Autonomy Enterprise Archiving Solution (EAS). The period of performance for this TO shall be one 12-month base period with two 12-month option periods.

3. Description of Supplies or Services: This proposed action shall provide hardware and software maintenance support for the Autonomy EAS located in the Hines Data Center which supports up to a capacity of 20,000 OIT and VA Central Office (VACO) users. The EAS is an email archiving system, consisting of both hardware and software that provides a fast and efficient means of archiving and restoring the vast quantities of emails and files residing on network servers, personal computer (PC) hard drives, backup tapes and other mass storage devices located throughout the enterprise via Personal Storage Table (PST) files. Autonomy hardware maintenance includes support for the Archiving System servers, the 10 terabyte Storage Cells and the Mailbox Management Server. Hardware maintenance also consists of remote telephone and email support to authorized customer contacts and local onsite services to repair or replace equipment or parts. Software maintenance consists of access to upgrades and updates as well as the EAS Complete, Search and Storage Manager Client Access Licenses (CAL) software maintenance. Autonomy personnel shall provide the implementation of software updates as required for system maintenance. Autonomy Archive Monitoring Service shall include 24x7x365 monitoring.

4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c) 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 paragraph eight of this document, it was determined that limited competition is viable among authorized resellers for this brand name

item. This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. VA has a need for continued hardware and software maintenance support with 24x7x365 system monitoring to support the Autonomy EAS. No other brand name maintenance support, other than Autonomy, can meet the sustainment requirements of the EAS hardware and software. EAS software is a suite of proprietary software applications published by Autonomy Corporation. The software source code required to provide hardware and software maintenance support is owned by Autonomy; and is only available to authorized third party vendors, which will provide for limited competition under this procurement. Due to the proprietary nature of the products no other brand name software will be interoperable or compatible with the currently fielded Autonomy EAS hardware, and software, thus rendering the suite of applications useless. Additionally, no other maintenance support can meet the Government's requirement to ensure continuity of support for the existing hardware and software.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. Although the Government is limiting competition as a result of specifying unique or highly specialized equipment, there are multiple authorized resellers of the service on the NASA SEWP IV GWAC. Additionally, this justification will be submitted to all four NASA SEWP IV GWAC groups prior to release of the Request for Quote in order to fully notify all interested parties. Furthermore, in accordance with FAR 5.301 and FAR 16.505(b)(2), this action will be synopsisized at award on the Federal Business Opportunity Page (FBO) and the justification will be made publicly available within 14 days after award.
7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed.
8. Market Research: The Government's technical experts conducted market research In September 2012 by searching the NASA SEWP IV GWAC to ascertain if any other source, other than an authorized reseller can provide the aforementioned hardware and software maintenance support. While other sources can provide similar software support, no other source other than an Autonomy reseller was found that could provide the required hardware and software maintenance support without the required software source code. Additionally, the Government's technical experts conducted market research by reviewing other similar software providers and their capabilities in May 2012. The similar software reviewed included Symantec's Enterprise Vault, EMC's Source One, IBM's FileNet, and Encase Corporation. While each of these software applications provides similar support services; the Government's technical experts determined that none of these products can meet the Government's interoperability and compatibility requirements with the current Autonomy software applications suite. These products do not offer the stringent archiving

and eDiscovery requirements as offered by Autonomy. Additionally, VA Archiving Subject Matter Experts regularly review industry trade publications, attend conferences, and conduct internet research to ascertain if any other brand name software is available. Based on the above, the Government's technical experts have determined that only Autonomy's EAS brand name software can meet all of VA's needs.

Additionally, market research was conducted by the Technology Acquisition Center (TAC) on August 31, 2012, utilizing the NASA SEWP Product Verification Tool. A search for the required hardware and software maintenance support revealed two current NASA SEWP contractors. Based on this market research, limited competition is anticipated.

9. Other Facts: N/A