

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: 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 brand name IBM Integration Bus Processor Value Unit (PVU) for Enterprise Service Bus (ESB)

3. Description of the Supplies or Services: The Department of Veterans Affairs (VA), Office of Information and Technology (OI&T), the Enterprise Services (ES) has identified the need to renew the existing license and support for brand name IBM Integration Bus Processor Value Unit (PVU) for Enterprise Service Bus (ESB) to include unlimited web, phone, and email support, 24x7, 365 days a year. Additionally, access to all software updates, patches, and version upgrades is needed. In the IT industry, the term ESB has taken hold for Message-Oriented Middlewares (MOM) that incorporate Web services. All commercially offered MOMs incorporate Web services therefore, these terms have become synonymous. The Service Oriented Architecture (SOA) ESB enables communications among many systems and data sources through implementation of independent interfaces and communications protocols as well as making available business functions through standard encapsulation for consumption by consumers of Veterans Relationship Management (VRM) services. This environment supports fast, efficient, and consistent interaction with the Veteran. This software allows the Veterans Information/Eligibility Reporting System (VIERS) and Department of Veterans Affairs/Department of Defense Identity Repository (VADIR) to pass information from VIERS and VADIR to other VA systems. The period of performance shall be for a period of 12 months from date of award with two 12-month options as VA anticipates the use of these licenses during the next three years. The total estimated value of the proposed action is [REDACTED], including options.

4. Statutory Authority: Pursuant to Federal Acquisition Regulation (FAR) Subpart 16.505(a)(4), the following brand name requirement is being justified and approved as an exception to fair opportunity under the statutory authority of Section 41 U.S.C. 4106(c)(2) as implemented by 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: This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. The IBM ESB software is the only brand name that will provide options for implementing a universal integration foundation based on an ESB. Implementations help to enable connectivity and transformation in heterogeneous IT environments for businesses of any size, in any industry and covering a range of platforms including cloud and z/OS.

No other software has the interoperability and compatibility necessary for Veterans Information/Eligibility Reporting System (VIERS) and Department of Veterans Affairs/Department of Defense Identity Repository (VADIR) to pass information from VIERS and VADIR to other VA systems using IBM ESB. Interoperability and compatibility is required to exchange data with other VA lines of business. If a software development suite other than IBM ESM is introduced into VIERS and VADIR, the systems would no longer be able to function properly. This could cause the systems to fail and impact VA lines of business from receiving critical military data. VA will not be able to identify new Veterans, accurately administer Veteran benefits or provide timely Veteran support. No other software besides IBM ESB provides interoperability and compatibility with other databases and systems in the VA..

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. This effort did not yield any additional commercially available off-the-shelf software packages that can meet the Government's requirements. There is no competition anticipated for this acquisition. Additionally, the proposed action will be synopsisized on the Federal Business Opportunities Page in accordance with FAR 5.201. Any proposals that are received shall be evaluated. The ordering activity will make the justification publicly available along with the solicitation in accordance with FAR 6.302-1(c)).

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 to ascertain the ability of any brand, other than the IBM ESB software and support that can meet the aforementioned requirement. VA technical experts conducted market research in August of 2018 by researching the functionality of a similar product from MuleSoft and Oracle, to ascertain if these items could meet VA's requirements. As a result of the market research, VA technical subject matter experts confirmed that the IBM ESB software contains proprietary technical data and features that are incompatible with other products, including the products from MuleSoft and Oracle. Therefore, IBM ESB licenses are the only option to make sure there are not compatibility problems.

Additional market research was conducted by the Government representatives in July 2019 utilizing the NASA SEWP V Provider Lookup Tool which resulted in the identification of multiple authorized resellers of the required brand name IBM products. As a result, there is reasonable expectation that limited competition exists on the NASA SEWP V GWAC for the brand name IBM ESB software maintenance support.

No other vendor has the capability of providing and issuing software updates, fixes, or upgrades for the existing IBM software without access to the code as outlined in Section 5 of this Justification.

Brand Name IBM Integration Bus
Processor Value Unit (PVU)
Annual Software Subscription & Support

Control Number TAC-19-56219

9. Other Facts: None

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.

[Redacted]

Date: _____07/17/2019_____

Program Manager

Signature:

7/17/2019
X [Redacted]

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 anticipated competition and discounts among multiple value added resellers of the required brand name software and comparison to the Independent Government Cost Estimate. Finally, pricing of products awarded under NASA SEWP V GWAC have already been determined to be fair and reasonable.

[Redacted]

Date: _____ [Redacted]

Procuring Contracting Officer

Signature: _____ [Redacted]

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief. As this contract action does not exceed \$700,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

[Redacted]

Date: _____ [Redacted]

Procuring Contracting Officer

Signature: _____ [Redacted]