

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 modification to an existing delivery order issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Governmentwide Acquisition Contract (GWAC) with Three Wire Systems, LLC, 3130 Fairview Park Drive, Falls Church, Virginia to extend the period of performance for continued Tableau software maintenance and technical support.
3. Description of Supplies or Services: VA has a requirement to modify an existing NASA SEWP delivery order to provide for Tableau software maintenance and technical support for an additional 12 months. In September 2016, delivery order NNG15SD25B VA118-16-F-1449 was awarded competitively to Three Wire Systems, LLC for a single Tableau enterprise-wide software license with options for continued software maintenance and technical support. Additionally, delivery order NNG15SD25B VA118-16-F-1449 included a Conversion Clause which states that, "At the expiration of the three year period of performance, the single Tableau enterprise-wide software license shall be converted to perpetual licenses at no additional cost to VA. This clause also required that no later than six months prior to the expiration of the delivery order, VA shall provide to the Contractor, its configuration and combination of Tableau Professional Desktop licenses, Tableau Server Interactor licenses, and/or Tableau 8-Core Server licenses at the predetermined prices (from the B.4 Price Schedule) up to original purchase price of the single Tableau enterprise-wide perpetual software license." Specifically, in accordance with the Conversion Clause, the Tableau enterprise-wide license will convert to 1648 Tableau Professional Desktop Perpetual Licenses and 12 Tableau 8-Core Server Perpetual Licenses in the same modification. However, upon discussion regarding the conversion with Tableau, VA was notified that software maintenance and technical support will be required for the converted software perpetual licenses.

The proposed modification will provide for the conversion to software perpetual licenses and provide continued Tableau software maintenance and technical support, which was technically not known to be required for converted software perpetual licenses at the time of the initial award. It was clear the single Tableau enterprise-wide software licenses required continued software maintenance and technical support to remain compliant; and therefore the order included option periods for that support. However, in order to remain Tableau compliant for the converted software perpetual licenses, the brand name Tableau software maintenance and technical support is required. The brand name Tableau software maintenance and technical support will provide web-based submissions of incidents, major releases/minor releases, maintenance releases

of the software, online knowledge base of up-to-date information on the converted software perpetual licenses, and access to an online secure site that contains license keys and latest product downloads currently being provided. The period of performance shall be from September 16, 2019 through September 15, 2020.

4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) 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 upon market research, as described in Section 8 of this justification, it was determined that only the reseller, Three Wire Systems, LLC, can provide for the conversion of the Tableau enterprise-wide license to 1648 Tableau Professional Desktop Perpetual Licenses and 12 Tableau 8-Core Server Perpetual Licenses and the required Tableau software maintenance and technical support. Three Wire Systems, LLC is the current contract holder of NNG15SD25B VA118-16-F-1449, and this is the contract under which VA procured the Enterprise License agreement at a substantial initial investment, which are now being converted. If VA did not utilize the current contract with Three Wire Systems for the additional maintenance on the converted licenses, which is a term in the contract, then VA would be at risk of losing its initial investment. The converted licenses would not be technically maintained as needed and could become prematurely obsolete. The Tableau converted licenses and maintenance shall support VA's current business intelligence, data analysis, tabulation, and reporting infrastructure, which is based solely on existing Tableau Professional Desktop and 8-Core Server software. It is now known that Tableau requires maintenance and technical support for the converted software perpetual licenses. Only Tableau's software maintenance and technical support is compatible with the existing infrastructure protocols and functionality for continued use and operational availability of the converted software perpetual licenses. Further utilizing the current contract with Three Wire Systems, under which the initial Enterprise Licenses were procured and now being converted, also secures VA's access to Tableau's proprietary source code, which is required to provide the software maintenance and technical support needed. The software maintenance includes the patches and updates needed to keep the software up to date. Access to this code is essential in ensuring the services provided are properly configured and all patches and updates are properly pushed through.

Based on the technical understanding that Tableau-provided software maintenance and technical support is required to maintain capability and interoperability with Tableau protocols for the converted software perpetual license, the Government is in need of this support. It became evident to the Government that failure to acquire the required Tableau software maintenance and technical support would pose a risk of the converted software perpetual licenses becoming obsolete or even fail, putting VA's ability to collect, analyze and report data at risk. If the converted software perpetual licenses do not receive software patches and updates, software

performance could degrade or fail, and security vulnerabilities may be exposed. The Tableau software maintenance and technical support shall provide the needed phone, email, or on-line support, in addition to self-help and maintenance, which will keep the converted software perpetual license Tableau compliant. The impact of not purchasing the required Tableau Software maintenance within the current contract could degrade the Government's ability to analyze, visualize, and share data supporting Veterans.

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. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), notice of award of this action will be synopsisized and this justification will be made publicly available within 14 days of award on the Federal Business Opportunities Page.

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 competed.

8. Market Research: Market research was conducted by VA's technical experts in April and May 2019 by reviewing other software products such as Pyramid, Microsoft PowerBI, and SAS Visual Analyzer. It was determined that none of these products can provide the necessary patches, updates, and support for VA's converted software perpetual licenses. While these other products provide similar maintenance support, all are brand specific to its own proprietary software and is not compatible with other brands. No other product is compatible with the existing Tableau infrastructure protocols.

Additional market research was also conducted. A Request for Information (RFI) for the brand name Tableau software maintenance and technical support was posted to NASA SEWP on June 20, 2019. On June 25, 2019, the RFI closed with no responses. Furthermore, a Pre-solicitation Notice for the brand name Tableau software maintenance and technical support was posted on Federal Business Opportunities website on August 21, 2019. The Pre-solicitation notice closed on August 26, 2019 with no responses. Therefore, based on this market research, it was determined that competition is not expected and a modification to the existing delivery order is the best procurement approach.

9. Other Facts: None.