

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: The proposed action is for a firm-fixed price task 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 Cisco network interface modules.
3. Description of the Supplies or Services: VA, Office of Electronic Health Record Modernization, Technology and Integration Office has a requirement for brand name Cisco network interface modules. VA is replacing its legacy Electronic Health Record (EHR) system with a new system to be jointly managed with the Department of Defense. The required Cisco network interface modules consist of 32 5-port Gigabit Ethernet (GE) Shared Port Adapter (SPA), and 160 1000Base-SX-SFP transceiver modules. The Cisco network interface modules are for the Cisco aggregation services routers currently implemented in the Medical Community of Interest (MedCOI) Wide Area Network (WAN). The required hardware shall be delivered no later than 30 calendar days after award. [REDACTED]
[REDACTED]
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: Based on market research, as described in section eight of this document, it was determined that limited competition is available among resellers for the brand name Cisco hardware. The Cisco network interface modules are required to integrate with existing Cisco aggregation services routers currently implemented in the MedCOI WAN. These Cisco GE SPA interfaces are critical to ensuring VA Community Based Outpatient Clinics (CBOCs) have the throughput and redundancy required to avoid planned or unplanned outages to the enterprise WAN. The network interface modules will be inserted in the existing routers to provide locations for network cables to connect the routers to VA security stacks which provide secure connectivity to EHR. Without these connections, users providing care to Veterans in the VA Medical Centers and CBOCs will not be able to access the new EHR to review and update patient records. The physical design of the routers and interface modules including the size, shape and arrangement of electrical connectors are proprietary to Cisco and no other vendor's modules are interoperable. Additionally,

the modules rely on Cisco's proprietary operating system, IOS, to program what network protocols they support. No other vendor's modules can communicate with Cisco IOS. Thus, no other vendor's modules can serve the same function.

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 sources that can meet the Government's requirements. It was determined, however, that limited competition is viable among resellers for this brand name hardware. In accordance with FAR 16.505(a)(4)(iii)(A)(1), this justification will be provided with the solicitation to all appropriate NASA SEWP V GWAC holders. Furthermore, in accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), and 16.505(a)(4)(iii), the award notice for this action will be synopsisized on the Federal Business Opportunities website and this justification will be made publicly available within 14 days of 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 August 2019 by reviewing vendor specifications for similar network interface modules such as: Hewlett Packard's Aruba 24-port 10/100/1000BASE-T MACsec v3 zl2 module (J9987A); Juniper Networks' EX9200-40F, a module that supports 40 1gb connections; and Huawei's LST7G48TX5S0 48-port 10/100/1000BASE-T Interface Card. Based on reviews of these products, the Government's technical experts determined that none of these products can meet the Government's interoperability and compatibility requirements previously discussed. Each module was determined to be designed for the manufacturer's specific network hardware system and cannot physically be inserted in another manufacturer's system. Each module was also determined to depend on the operating system of the system it was designed for and is not compatible with the Cisco IOS. Based on these market research efforts, the Government's technical experts have determined that only Cisco brand name hardware can meet all of VA's needs.

Additional market research was conducted in August 2019 by utilizing the NASA SEWP Provider Lookup tool to determine whether the brand name Cisco hardware is available from NASA SEWP V GWAC holders. The search resulted in multiple NASA SEWP GWAC holders that are resellers of brand name Cisco products including multiple Service Disabled Veteran Owned Small Business (SDVOSB) concerns in Group B(2). Therefore, limited competition is expected among SDVOSBs for this proposed action.

9. Other Facts: NA

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Approval

In my role as procuring Advocate for Competition based on the foregoing justification, I hereby approve the acquisition for brand name Cisco hardware on a limited competition basis pursuant to the authority cited in section 4 above, subject to availability of funds, and provided that the property and services herein described have otherwise been authorized for acquisition.

Date: _____

Signature: _____

Karen Casiero
Interim Advocate for Competition
Technology Acquisition Center
Office of Procurement, Acquisition, and
Logistics

Justification For Other Than Full and Open Competition
Coordination Matrix

Mark Junda	Date	Concur/Non-Concur
Director, Procurement Services E		
Technology Acquisition Center (0003B2E)		
Office of Procurement, Acquisition, and Logistics		
Department of Veterans Affairs		