

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: This proposed action is for a Firm Fixed-Price Delivery Order (DO) issued under a National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC) for brand name AutoDesk AutoCAD software licenses and subscription support for the Department of Veterans Affairs, Veterans Benefits Administration (VBA) Region 5, Office of Release Management Service (RMS). Delivery of the software licenses shall be 30 days after receipt of order. The period of performance for the subscription support is one year.

3. Description of the Supplies or Services: The proposed action is for 15 additional AutoDesk AutoCAD Network Licenses with subscription support. AutoCAD is a Computer Assisted Drawing (CAD) tool that is used by Architects, Engineers, Facility Planners, IT Specialists, etc. for creating graphical drawing and complex infrastructure renderings of electrical, mechanical and structural drawings, as well as, network and telecommunications schematics, and office and furniture layouts. AutoDesk's AutoCAD software is a widely used industry standard product used by Architect and Engineer firms. Contractor submitted proposals that include CAD renderings are generally created and/or required to be submitted via use of the AutoCAD software platforms. VBA sites have historically used and are currently using this product. The total estimated value of this proposed action is [REDACTED]

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: This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Based on market research, as described in paragraph 8 below, it has been determined that limited competition is viable among authorized resellers for these brand name software licenses and support. VA Region 5 has an existing networked licensing server infrastructure for AutoCAD software that is used by VA Engineers and IT Specialists. VA's effort for consolidation and centralization with Region 5 requires the expansion of concurrent user licenses. Other brands do not allow for compatibility and interoperability with the existing AutoCAD code technologies. A brand name procurement of AutoDesk AutoCAD will provide for software compatibility and

interoperability between (users) offices, as this software is already being used extensively within Region 5.

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 authorized resellers for this brand name item and services. In accordance with FAR 5.301 and 16.505(b)(2), 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: 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: The Government's technical experts conducted market research for vendors that can provide additional AutoCAD licenses in support of the existing software technology and hardware platform. Other brands such as SolidWorks and Solid Edge were reviewed, and determined not to meet the requirement as they would not allow for interoperability or compatibility with existing code technologies of AutoDesk AutoCAD software currently in use. Market research was conducting by utilizing the Manufacturer Lookup Tool on the NASA SEWP IV website on April 24, 2013. This search resulted in 23 resellers of AutoDesk software including Alvarez & Associates (Group B Service-Disabled Veteran-Owned Small Business (SDVOSB) Value Added Reseller (VAR)), FedStore Corporation (Group B SDVOSB VAR), MicroTech (Group B SDVOSB VAR), ThreeWire (Group B SDVOSB VAR), and ThunderCat Technology (Group B SDVOSB VAR). Market research was also conducted on the General Services Administration (GSA) Federal Supply Schedules, specifically Schedule 70 (General Purpose Information Technology, Equipment, Software, and Services), by searching GSA Advantage, the online shopping and ordering system for supplies and services for the required AutoDesk AutoCAD licenses. Search results indicated four resellers of AutoDesk software licenses.

9. Other Facts: None.