

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 delivery order for 500 Good software licenses, with an option for an additional 500 licenses to be exercised within the base period and options to purchase up to 1,000 Good licenses in each of the next four years. This order will be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Center (GWAC). The period of performance shall be 12 months with four 12 month option periods.
3. Description of the Supplies or Services: Good is an email client for Government smart phones that provides Federal Information Processing Standard (FIPS) 140-2 protection for data at rest and in motion. The total estimated price of this proposed action is [REDACTED] including all option periods.
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 Particular to One Manufacturer. Based on market research as described in paragraph eight of this document, it was determined that limited competition is available for these brand name services. Good is the only software application separated by a sandbox environment that keeps Government data separated and protected in a FIPS 140-2 certified solution, providing the ability to encrypt data in an inactive state and in data transit without relying on an active sync or its own device encryption. Further, Good is the only FIPS 104-2 certified solution (certificate #1247) approved by the Defense Information Security Agency (DISA), with a Security Technical Implementation Guide (STIG), to use with Windows Mobile, iPhones, iPads, Palm OS, Nokia Sumbian, and is currently the only solution approved by the VA Chief Information Officer (CIO) for use within 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 sources that can meet the Government's requirements. It is determined however that limited competition is viable among authorized resellers for this brand name service. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsized at award on

Good Technology Software Licenses

the Federal Business Opportunities Page (FBO) and the justification will be made publicly available.

7. Actions to Increase Competition: In order to remove or overcome barriers to competition in future acquisitions for this requirement, the agency will work with the program office to perform additional market research so that other solutions can be considered.

8. Market Research: Market Research was conducted in March 2013 to ascertain the ability of any other source other than a Good reseller to provide the aforementioned software licenses. An internet search was performed searching for software applications which could meet the Government's requirements. The only software application found to offer similar capabilities was "Pincecone" but after reviewing its specifications it was determined that it could not meet the Government's needs as it does not cover Windows Mobile, cannot read Secure/Multipurpose Internet Mail Extension (SMIME) encrypted messages, will not work with Personal Identification Verification/Common Access Card (PIV/CAC) cards, would require restructuring or in some cases replacing a significant portion of our mobile email infrastructure, adds threats to the VA firewall, and is not authorized for use by the VA CIO.

9. Other Facts: NA

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.

Lynn Blendell

Date: 29 April 2013

Project Manager

Signature: *Lynn Blendell*

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. Contracts awarded on NASA SEWP IV GWAV have already been determined to be fair and reasonable. As there are three potential vendors on NASA SEWP IV GWAC, price competition is anticipated. Finally, the successful quote will be compared to the Independent Government Cost Estimate.

Carol G. Newcomb

Date: 5/1/2013

Procuring Contracting Officer

Signature: *Carol G. Newcomb*

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 \$650,000, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

Carol G. Newcomb

Date: 5/1/2013

Procuring Contracting Officer

Signature: *Carol G. Newcomb*