

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, New Jersey 07724
2. Description of Action: The proposed action is for a 12 month firm-fixed price (FFP) task order with four 12 month option periods for hardware and software maintenance and upgrade support for the SafeNet Luna Hardware Security Module (HSM) used by Enterprise System Engineering (ESE), Enterprise Messaging & Collaboration. This effort is being conducted under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC).
3. Description of the Supplies or Services: The proposed action is to provide maintenance support by web, email, and telephone to cover any hardware and software issues with the SafeNet Luna HSM's. The maintenance support will also provide new releases, updates, and upgrades of the software, hardware, and firmware; parts replacement is also included. The total estimated value of the proposed action including option years is [REDACTED]
4. 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: Based on market research described in paragraph 8 of this document, it was determined that limited competition is available for the maintenance renewal of the brand name item. The brand name hardware and software is manufactured by SafeNet. VA has a requirement for annual maintenance and support of existing SafeNet hardware and software. Due to the proprietary nature of the products, SafeNet is the only entity authorized to perform support and/or maintenance. Renewal is required to ensure continuity of maintenance and support for existing hardware and software.
6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. Based on this research, it was determined that limited competition is anticipated for the maintenance support of the brand name software. In accordance with FAR 5.301 and 16.505(b)(2), this action will be synopsisized on the Federal [REDACTED]

PKI HSM Storage Module Maintenance

Business Opportunities page upon award and the justification will be made publicly available.

7. Actions to Increase Competition: Although the Government is limiting competition as a result of specifying SafeNet Luna brand name, there are authorized resellers of these products on the NASA SEWP IV GWAC. Limited competition for this requirement among these vendors is anticipated. Furthermore, in order to remove or overcome barriers to competition in future acquisitions for this requirement, the Government will continue to conduct market research to consider alternate solutions.

8. Market Research: The Government's technical experts conducted market research in April 2013 by searching NASA SEWP IV GWAC to ascertain if any other source, other than an authorized reseller can provide the aforementioned maintenance support. It was determined no other source other than a SafeNet reseller could provide the required maintenance support.

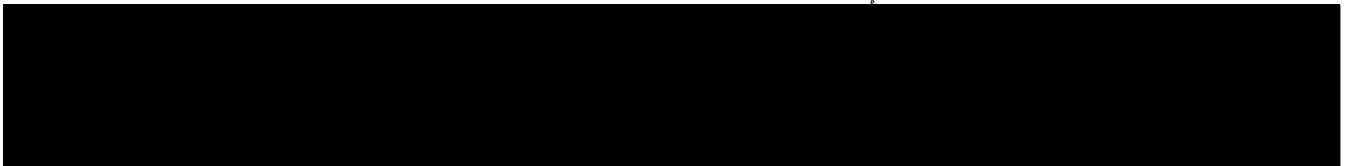
9. Other Facts: N/A

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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.



11. Determination of Best Value: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on the expectation of price competition in addition to the fact that prices on the NASA SEWP IV GWAC have already been determined to be fair and reasonable. Additional price analysis will be performed by comparing the proposed prices to the IGCE.



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 \$650,000.00, the certification below required by FAR 16.505(b)(2)(ii)(C)(1) serves as approval.

