

JUSTIFICATION AND APPROVAL
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition and Logistics
Technology Acquisition Center
260 Industrial Way West
Eatontown, New Jersey 07724

2. Description of Action: The proposed action is for a firm-fixed price delivery order (DO) for the procurement of NetApps equipment for the backend infrastructure in Hines, Illinois (IL) and three option years of support issued against the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC). VA has a business need to provide redundancy to the primary Network Security Operations Center (NSOC) site in Martinsburg, West Virginia (WV). The procurement will provide the storage and infrastructure to replicate the Capital Region Readiness Center (CRRC) and to be used as a failover site if the Martinsburg facility is out of service. Delivery will be 30 days after receipt of order.

3. Description of Supplies or Services: VA-NSOC serves as VA security operation element under the Office of Information Security (OIS). VA-NSOC manages, protects, and monitors the cyber security posture of the entire VA enterprise, coordinates externally with government incident response centers, performs threat and vulnerability analyses, reports cyber security deficiencies, develops concept of operations or guidelines relating to cyber security incidents, performs analyses of cyber security events, maintains detailed logs and databases of VA cyber security incidents and responses, and generally performs the full range of functions across the spectrum of activities relating to incident management and response, vulnerability scanning, event correlation and analysis, audit log analysis, patch distribution, and remediation planning. VA has a business need to provide redundancy to the primary NSOC site in Martinsburg, WV. This entire procurement will provide the storage and infrastructure to replicate the CRRC and to be used as a failover site if Martinsburg is out of service. The total estimated price of the proposed action including options is \$470,574.75.

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: Based on extensive market research, as detailed in paragraph 8 of this document, it was determined that limited competition is viable for this brand name equipment. The VA-NSOC provides centralized command and control functionality for VA Enterprise Network. This includes monitoring all network and security devices on VA Enterprise Network and

the four One-VA Internet Gateways. The mission criticality of this tasking has mandated the creation of a VA-NSOC security enclave so that in the unlikely occurrence of a VA-Wide network or security related incident, VA-NSOC does not lose its command and control capabilities or its ability to communicate effectively. VA-NSOC must create an environment identical to the environment currently in use in Martinsburg, which is made up of the equipment purchased through this DO.

If a solution other than what has been requested is procured, VA will incur additional engineering and/or professional service costs in order to successfully deploy the platform. The VA-NSOC has already deployed the requested technology at the Martinsburg location and the 4 Trusted Internet Connection (TIC) Gateway locations. Additionally, the VA-NSOC maintains a lab environment with the requested equipment already deployed. Deploying a new hardware platform will void the benefits of the established lab environment and introduce risks for future projects since no equivalent lab environment exists for the new platform.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in the market research section of this document. Limited competition is anticipated for the required NetApps equipment. There are numerous authorized resellers of this equipment on the NASA SEWP IV GWAC. Additionally, this Justification and Approval (J&A) and the Request for Quote (RFQ) will be submitted to all four NASA SEWP IV GWAC Groups in order to fully notify all interested parties and obtain price competition. Furthermore, in accordance with FAR 5.3, the award will be synopsisized on the Federal Business Opportunities (FBO) Page. In addition, this J&A will be made publicly available on the FBO Page.

7. Actions to Increase Competition: The agency will continue to work with the program office to conduct additional market research so other possible equipment can be considered for future procurements. If there are changes in the market place, or if other products become available that would meet any future requirements, solicitations may utilize "brand name or equal" language if it is in the Government's best interest to do so.

8. Market Research: In February 2013 the Government's subject matter experts (SME) issued a Request for Information (RFI) with responses received from four vendors who could meet the Government's requirements. In addition, the Government utilized the NASA SEWP Product Verification Tool which indicated that the required NetApps equipment is available on the NASA SEWP GWAC through multiple vendors. The Government's SMEs also looked at SANDirect.com and Presidio.com to ascertain if there was equipment manufactured by a vendor other than NetApps that could meet the Government's requirement. The Government reviewed equipment from HP Storage and EMC Storage and determined that neither of these companies could meet the Government's needs due to their incompatibility with the existing NetApp Storage for replication and recovery.

9. Other Facts: Not applicable.


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.

Name: Miguel Valls Date: 06/27/2013

Title: Project Manager Signature: Miguel N. Valls 192826
Digitally signed by Miguel N. Valls 192826
DN: cn=Miguel N. Valls, o=NASA, email=Miguel.N.Valls@nasa.gov, c=US
Date: 2013.06.27 16:47:51 -0400


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 based on the fact that limited competition is anticipated. Although prices under the NASA SEWP VI GWAC have already been deemed fair and reasonable, the Government will also use the Independent Government Cost Estimate and price analysis will be used to substantiate a fair and reasonable price.

David Nostrant Date: 7/3/2013

Procuring Contracting Officer Signature: 
Digitally signed by Nostrant, David K.
DN: cn=Nostrant, David K., email=David.Nostrant@va.gov, o=Dept. of Veterans Affairs
Date: 2013.07.03 15:09:04 -0400

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.

David Nostrant Date: 7/3/2013

Procuring Contracting Officer Signature: 
Digitally signed by Nostrant, David K.
DN: cn=Nostrant, David K., email=David.Nostrant@va.gov, o=Dept. of Veterans Affairs
Date: 2013.07.03 15:09:21 -0400