

JUSTIFICATION AND APPROVAL
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. **Contracting Activity:** Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center – Austin
1701 Directors Blvd, Suite 600
Austin, TX 78744

2. **Description of Action:**

The proposed action is for 236 Plantronics wireless headsets. This requirement will be accomplished via a firm-fixed-price delivery order against the National Aeronautics and Space Administration (NASA) Solutions for Enterprise Wide Procurement (SEWP) IV Government Wide Acquisition Contract (GWAC) targeting Group B contract holders. Franchise funds are used for this procurement.

3. **Description of Supplies:**

Department of Veterans Affairs (VA), Corporate Data Center Operations (CDCO) has a brand name requirement for 236 Plantronics wireless headsets in support of the National Service Desk (NSD). The Plantronics wireless headsets will provide NSD employees first line support to users throughout VA who are experiencing hardware, software, or connectivity problems. The NSD provides a central point of contact for enterprise-class information technology services and support, as well as outage notifications and information dissemination in VA 24 hours per day, 7 days per week, 365 days per year. Period of performance is 30 days after contract award. The total estimated price for the proposed action is [REDACTED]

4. **Authority Cited:**

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. **Reason for Authority Cited:**

This is a brand name justification in support of FAR 11.105, Items Peculiar to One Manufacturer. Although more than one contract holder is capable of providing the supplies or services required, fair opportunity is limited by restriction to a brand name. The VA NSD owns Plantronics wireless headsets and Plantronics accessories. By selecting another wireless headset other than Plantronics, VA would not be able to assure hardware compatibility with existing Plantronics hardware and new hardware accessories may be required, adding additional cost to the VA. The proposed sources for Plantronics wireless headset is Plantronics and its resellers. VA determined that either Plantronics or its resellers are the only sources that can provide the wireless headset hardware.

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 requirement. It was determined however that limited competition is viable among authorized resellers for the brand name item. In accordance with FAR 5.202(a)(13) this action will not be synopsized.

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:

A Request for Information (RFI) was issued on the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government Wide Acquisition Contract (GWAC) in July, 2013, to identify potential resellers. Responses were received by two service-disabled, Veteran-owned small businesses (SDVOSB). All firms that responded to the RFI submitted pricing and confirmed their capabilities to provide the Plantronics wireless headsets. Additionally, the contract specialist conducted a product verification tool search on NASA SEWP IV GWAC website for Plantronics wireless headset in Group B, SDVOSB. The product verification search revealed an additional three SDVOSBs that offered the Plantronics wireless headsets. Based upon this market research limited competition is expected among NASA SEWP authorized resellers and the requirement will be solicited providing fair opportunity to NASA SEWP Group B.

9. Interested Sources:

The solicitation covering this procurement will not be synopsized in the Federal Business Opportunities Page pursuant to FAR 5.202(a)(6).