



**DEPARTMENT OF THE NAVY
FLEET LOGISTICS CENTER NORFOLK
DETACHMENT PHILADELPHIA
700 ROBBINS AVENUE, BUILDING 2B
PHILADELPHIA, PA 19111-5083**

LSJ# 15-053

Justification for an Exception to Fair Opportunity – Brand Name Justification

1. IDENTIFICATION OF AGENCY AND CONTRACTING ACTIVITY:

This is a Justification for an Exception to Fair Opportunity. The requiring activity is Joint Staff (JS) J7; the contracting activity is the Fleet Logistics Center Norfolk, Philadelphia Office.

2. NATURE/DESCRIPTION OF CONTRACT ACTION:

This acquisition is conducted under the authority of 10 U.S.C. 2304a through 2304d. This is a limited source action to be awarded as a new delivery order to the large contractor, McAfee, Inc., or an authorized reseller of McAfee, Inc. under the National Aeronautics and Space Administration's Solutions for Enterprise Wide Procurement (NASA SEWP) which is a multi-award Government-Wide Acquisition Contract (GWAC) vehicle focused on IT products and product based services. The placement of a firm fixed-price order is anticipated.

3. DESCRIPTION OF REQUIRED SUPPLIES/SERVICES:

The proposed action is to purchase the McAfee Next Generation Firewall (NGFW) and associated hardware/support in order to meet and support all the DoD Security Technical Implementation Guide/Security Requirement Guide (STIG/SRG) and Joint Staff operational & security requirements and the Joint Staff (JS) J7 Intelligence and Imagery portions of the Chairman of the Joint Chiefs of Staff (CJCS) mission to train and develop Joint, interagency, and multinational capabilities for the present and future operational needs of the Joint and Coalition force. The cost estimate for this procurement is \$212,513.00 with O&MDA funds. The contractor shall deliver the required items within thirty days from the effective date of award. The equipment list is as follows:

Part Number	Description	Quantity
NGF-1402C1G	MFE NGF 1402-C1 Appliance	4
NGF1402C1RMAG	MFE NGF 1402-C1 1Yr GL+RMA	4
MOD-10G-SFP-4G	4 Port SFP+ Module	8
MOD10GSFP4RMAG	MFE MOD-10G-SFP-4 1Yr GL+RMA	8
MOD-SFP-10G-SRG	Short Reach 10 Gbps SFP+ Transceiver LC	20
APP-RACK-1400G	1400 Series Rack Mounting Kit	4
SM1CKE-10G	MFE SMC 10 P:1 GL	1

4. IDENTIFICATION OF THE EXCEPTION TO FAIR OPPORTUNITY RATIONALE AND/OR DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICATIONS:

The statutory authority which permits not providing each awardee a fair opportunity to be considered for each order exceeding \$3,000 issued under a multiple award contract is 10 U.S.C. 2304c, as implemented by FAR 16.505(b)(2).

The limited source items in this procurement are McAfee NGFW and associated hardware/support. These items are required to heighten the network security posture of JS J7.

Per FAR 16.505(a)(4), the contracting officer must justify restricting consideration to an item peculiar to one manufacturer (e.g., a particular brand-name, product, or a feature of a product that is peculiar to one manufacturer). A brand-name item, even if available on more than one contract, is an item peculiar to one manufacturer. Brand-name specifications shall not be used unless the particular brand-name, product, or feature is essential to the Government's requirements and market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the agency's needs. McAfee is a brand name peculiar to one manufacturer.

As explained below, McAfee NGFW and associated hardware/support are essential to the Government's requirements and market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the agency's needs.

JSJ7 engineering conducted market research to identify products that could satisfy all requirements of the DoD STIG/SRGs and Joint Staff J7 operational & security requirements JS, J7 Engineering conducted product evaluation, selection, and testing of next-generation firewalls to be used in the JSJ7 commercial, NIPRNet and, SIPRNet Joint Training Enterprise Network (JTEN) security boundary designs. Market research indicates that the McAfee NGFW is the only security appliance to meet all the DoD STIG/SRG and Joint Staff operational & security requirements. Once the boundary design was finalized, JSJ7 engineers ensured it was configured correctly and tested to verify security posture. The following features of the required items in this procurement make it unique to the exclusion of all other similar items: deep impact inspection, application aware, proxy-based firewall capabilities, and seamlessly integrates with the Joint Staff/DoD deployed McAfee Host-Based Security system. Other products did not have adequate deep packet inspection, application aware, proxy-based firewall capabilities that is required by the DoD STIG and, only the McAfee NGFW satisfied the Joint Staff requirement to seamlessly integrate with the Joint Staff/DoD deployed McAfee Host-Based Security System providing Information Assurance (IA) and network security personnel with a single pane, holistic view of the network security posture of the JSJ7 networks and the ability to manage the security policy of the networks with a converged, cohesive set of tools.

In addition, McAfee NGFW and associated hardware/support is required to minimize a degradation of security posture against cyber threats. From the IA perspective, potential consequences of substituting systems will cause an invalidation of the Certification & Accreditation (C&A) security posture, testing and documentation, and thus a revocation of Authority to Operate (ATO) from Operational Designated Approving Authority. McAfee NGFW is essential in order to ensure technical compatibility with these requirements. The JSJ7 JTEN accreditation package has been submitted for an October ATO. The submitted network architecture and boundary security plan include these systems as a major component of the overall defense-in-depth design. Withdrawal and changing or modifying the package would cause a significant delay and missing of our accreditation impact date in October. Additionally,

the introduction of new systems could present issues with regard to compatibility with the other parts of the system and could cause issues with regard to interoperability that cannot be predicted and that would cause significant costs and delays. Additionally, it is imperative for operation and maintenance purposes that each node of this system is identical so that technicians can easily train to repair the system and repair the system and so that parts needed for replacement can be properly identified and ordered. McAfee NGFW is essential so that the future event schedule for the JS will meet IA security requirements.

Thus, McAfee NGFW and associated hardware/support are essential to the Government's requirements and market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the agency's needs. This requirement will be awarded to McAfee, Inc. or an authorized reseller of McAfee, Inc.

5. DETERMINATION OF FAIR AND REASONABLE COST:

NASA SEWP did establish the prices for the McAfee Network Security equipment to be fair and reasonable. The NASA SEWP contracts are FAR Part 12 commercial contracts. NASA SEWP received additional discounts from the contractor's listed commercial list price. NASA SEWP conducted a price analysis in accordance with FAR 15.305(a)(1) and established reasonableness of proposed prices in accordance with FAR 15.403-1(c)(1)(i)(B). The Fleet Logistics Center Norfolk, Philadelphia Office Contracting Officer will determine, using the procedures in FAR 15.4, that the order represents the best value to meet the Government's needs.

6. DESCRIPTION OF MARKET RESEARCH:

The requiring activity and contracting activity have conducted market research among the multiple award contractors. The requiring activity certifies that the requirement can be met by a commercial item. The contracting activity conducted market research among NASA SEWP contract holders. The results indicate that the Government's needs may be met by the types of items customarily available in the commercial marketplace that meet the definition of commercial items as described at FAR Subpart 2.1.

JSJ7 engineering conducted market research to identify products that could satisfy all requirements of the DoD STIG/SRGs and Joint Staff J7 operational & security requirements; the Cisco ASA5500X firewall, McAfee NGFW and Palo Alto Next-Generation Firewalls were identified as candidate products. JSJ7 engineering determined that the McAfee NGFW was the only device that was able to fulfil all requirements. Other products did not have adequate deep packet inspection, application aware, proxy-based firewall capabilities that's required by the DoD STIG and, only the McAfee NGFW satisfied the Joint Staff requirement to seamlessly integrate with the Joint Staff/DoD deployed McAfee Host-Based Security System providing IA and network security personnel with a single pane, holistic view of the network security posture of the JSJ7 networks and the ability to manage the security policy of the networks with a converged, cohesive set of tools.

7. ANY OTHER SUPPORTING FACTS:

This procurement uses a GWAC and will be solicited and awarded in accordance with FAR Subpart 16.5.

8. ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION: All future requirements will be handled on a case-by-case basis.

9. CONTRACTING POINT OF CONTACT: The point of contact at the Fleet Logistics Center Norfolk, Philadelphia Office is Orlando Whitaker, Code 290.2M, at DSN 442-9748, commercial (215) 697-9748 or by e-mail at orlando.whitaker1@navy.mil.

Oct 2010

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:

[Redacted Signature Line]

Signature Name (Printed) Phone No. Date

Requirements Cognizance:

[Redacted Signature Line]

Signature Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[Redacted Signature Line]

Signature Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief. To the extent that the J&A/LSJ value is between \$150K and \$650K, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

[Redacted Signature Line]

Signature Name (Printed) Phone No. Date

CONTRACTING ACTIVITY COMPETITION ADVOCATE REVIEW

To the extent that the J&A/LSJ value is between \$650K and \$12.5M, the Competition Advocate's signature below also represents approval of the J&A/LSJ.

Signature Name (Printed) Phone No. Date