

**JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY
(BRAND NAME)**

**CONTROL NUMBER
13-30**

PRECISE SOFTWARE LICENSE RENEWAL

1. CONTRACTING ACTIVITY.

United States Transportation Command, DPO Support Division, USTRANSCOM/TCAQ-D, 508 Scott Drive, Building 1900W, Scott AFB IL 62225-5357.

2. NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED.

Defense Personal Property System (DPS) Joint Program Management Office (JPMO) requires other than full and open competition that specifies a brand name product for several versions of Precise Database software license renewals and security patches. This action will result in a firm-fixed price delivery order under NASA Solutions for Enterprise Wide Procurement (SEWP) IV contract vehicle.

**3. DESCRIPTION OF SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS
(INCLUDING ESTIMATED VALUE).**

The Joint Program Management Office (JPMO) utilizes Precise Software for the operation of DPS. Renewal of software each year is required to obtain the latest updates and security patches.

The Period of Performance (POP) is from 27 September 2013 through 26 September 2014.

The estimated value of this acquisition is

**4. IDENTIFICATION OF THE EXCEPTION TO FAIR OPPORTUNITY AND
SUPPORTING RATIONALE.**

10 U.S.C. 2304C as implemented by FAR 16.505(a)(4).

The purchase of Precise Software license renewals are essential to the Government's requirements and other companies' similar products cannot meet or be modified to meet the agency's need.

This software will be installed on servers housed at and maintained by Defense Information Systems Agency (DISA). DISA software security and policies mandate the use of Precise products. No other branded product has passed DISA's security policies. Installing other than Precise software licenses and security patches will invalidate the security of the server resulting in the server losing its authority to operate within any Government network.

A brand name product is essential to the government's requirements. DISA and DPS JPMO technical personnel state that other companies' similar products do not meet, or cannot be modified to meet the agency's need.

5. DETERMINATION BY THE CONTRACTING OFFICER THAT ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.

This determination will be made by comparison of commercial product prices published in GSA Advantage Federal Supply Schedules and on NASA SEWP IV, which have already been determined fair and reasonable. In addition, the current contract, HTC711-12-F-D046 contract price will be used as a comparison to competitive offers. Based on this approach, the Contracting Officer concludes that a fair and reasonable price will be available. Fair Opportunity IAW FAR 16.505(b)(1) procedures will be applied to this requirement. Posting to NASA SEWP IV is in the best interest of the Government.

6. ANY OTHER FACTS SUPPORTING THE JUSTIFICATION.

N/A

7. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE EXCEPTION TO FAIR OPPORTUNITY BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE.

The Government will continue to research the industry for available products and alternatives. The Request For Quote (RFQ) and this brand name justification will be posted on NASA SEWP IV using the RFQ Tool.

8. CONTRACTING OFFICER'S CERTIFICATION.

I certify that the justification is accurate and complete to the best of my knowledge and belief.

WILLIAM A. SCHLECKSER
Contracting Officer

17 May 2013
DATE

9. TECHNICAL OR REQUIREMENTS PERSONNEL CERTIFICATION.

I certify that the supporting data which form a basis for this justification are complete and accurate .

STEPHEN A. RATERMANN
JPMO HHGS

20 May 13
DATE