JUSTIFICATION AND APPROVAL FOR
OTHER THAN FULL AND OPEN COMPETITION
TRANSVIZ & AT21
ORACLE JAVA 6 Software Maintenance

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.**

USTRANSCOM/TCAQ-T (TransViz & AT21) requires other than full and open competition for Oracle Java 6 Maintenance Support for the TransViz & AT21 Programs from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190-4733. Award of a firm-fixed price contract is anticipated.

3. **DESCRIPTION OF THE SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS.**

Java is a freeware computer application development platform product originally produced by Sun Microsystems and is now owned by the Oracle Corporation. It consists of Java Runtime Environment and the Java Virtual Machine. Java 7 is the most current version of the software. Only the most current version of Java is supported with software updates and security patches for free by Oracle. Software maintenance must be purchased directly from Oracle to support earlier versions of Java. The TransViz & AT21 Program's currently utilize Java 6 because each program has not been tested & approved to deploy the Java 7 version. These programs were scheduled to upgrade to Java 7 by 30 May 2014, however TransViz's Java 7 upgrade was put on hold due to the J6, J3, and PEO requirement to evaluate and plan for moving into the CPE. The resources required for this planning effort did not leave enough capacity for TransViz to upgrade to Java 7. The current plan is for TransViz to upgrade during the 2.7.5 release planned for Sep 2014. In addition, AT21 is dependent on the Distribute.mil LifeRay upgrade which is planned to complete Nov 2014. Therefore continued software support must be purchased to support the security patching for these programs until the upgrade is complete.

4. **STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION.**

FAR 6.302-1—Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements.

5. **DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR NATURE OF THE ACQUISITION REQUIRES THE USE OF THE AUTHORITY CITED.**

The TransViz & AT21 programs currently utilize an older version of the freeware Java Runtime Environment (Java 6) that requires continued support. This software support can only be purchased directly from Oracle. Most Oracle products are sold via re-sellers and include the software license in addition to software maintenance/support. However, Java SE Maintenance/Support can only be purchased through an Oracle reseller if the reseller is also selling a license or hardware product. Thus, since the Government is only purchasing Java SE Maintenance/Support, it can only be procured directly through Oracle.

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE.

A Notice of Intent to Sole Source along with this Justification and Approval, will be posted to FBO.gov IAW FAR 5.102(a)(6) and FAR 5.201.

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

This determination has been made by comparison of similar commercial service prices published in GSA Information Technology schedule contracts, and based on historical comparison of same or similar procurements, taking into account average inflation rates of approximately 3%. Based on this approach, the Contracting Officer concluded that a fair and reasonable price is available.

8. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED AND THE RESULTS, OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED.

Market research conducted via the internet, ESI, GSA, and via clarifications with ORACLE showed that ORACLE is the only provider of the JAVA 6 software maintenance. This was confirmed with an email from ORACLE (Attachment 1).

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION.

N/A

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION.

None.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE MAKING ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED.

Based on the information and conclusions drawn in paragraphs three and five of this document, we conclude that there are no other offerors able to provide the services needed. USTRANSCOM continues to seek to remove barriers to competition. However, at the present time, there are no alternative suppliers of this requirement.

Project Title: TRANSVIZ & AT21 Oracle JAVA 6 Software Maintenance

Document Type: Justification and Approval for Other than Full & Open Competition

12. **CONTRACTING OFFICER'S CERTIFICATION.**

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

_____   _12 May 2014_
ANDREA C. MOUSER   Date
Contracting Officer

13. **TECHNICAL/REQUIREMENTS PERSONNEL CERTIFICATION.**

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

_____   _12 May 2014_
NATHAN TIEMAN   Date
TransViz Program Manager, TCAQ-T

Attachments
1. Email from Oracle