**JUSTIFICATION & APPROVAL FOR FEDERAL ACQUISITION REGULATION SUBPART 16.5 ACQUISITIONS**

**EXCEPTION TO FAIR OPPORTUNITY**

Multiple Award Contract

Orders under Fair Opportunity

Federal Acquisition Regulation (FAR) 16.505, Defense FAR Supplement 216.505-70, Procedures, Guidance, and Information 216.505-70

Purchase Request Number: O2208-097-097-697046, O2208-097-097-697046

Joint Warfighting Cloud Capability (JWCC) Contract Number: HC105023D0002

Task/Delivery Order Number: TBD

Procurement Title: Jeff J&A Test 1

Estimated Value: $157,728.00

Statutory and Regulatory Authority: 10 United States Code (U.S.C.) 2304c(b) and FAR

16.505(b)(2)(i)(C)

**EXCEPTION TO FAIR OPPORTUNITY**

Number: Not Applicable

Upon the basis of the following justification, I, as the the Contracting Officer, hereby approve this exception to fair opportunity pursuant to the Statutory Authority of 10 U.S.C. 2304c(b) and Regulatory Authority of FAR 16.505(b)(2)(i)(C).

1. REQUESTING AGENCY AND CONTRACTING OFFICE:

Requesting Agency:

Business Transformation Agency (BTA)/Jeff Org J&A

123 Fake StSpringfield, OH 12345United States of America

Contracting Activity:

Defense Information Systems Agency/Defense Information Technology Contracting Organization/PL85

2300 East Drive

Scott Air Force Base, IL 62225-5406

2. NATURE/DESCRIPTION OF ACTION(S):

This action is to issue a firm-fixed-price task order (TO) against the JWCC Indefinite Delivery/Indefinite Quantity Contract for Jeff J&A Test 1. This TO will be issued directly to Google Support Services.The anticipated period of performance (PoP) is for a 12-month base period, plus two 6-month option periods. The total estimated value is$157,728.00 of FY23 Research, Development, Test & Evaluation funds.

3. DESCRIPTION OF SUPPLIES/SERVICES:

J & A Scope Test 1

4. SUPPORTING RATIONALE, INCLUDING A DEMONSTRATION THAT THE PROPOSED CONTRACTOR’S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF AN EXCEPTION TO FAIR OPPORTUNITY:

1. Exception to Fair Opportunity.

FAR 16.505(b)(2)(i)(C) - The order must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order.

1. Description of the Justification.

Jeff J&A Justification 1

1. Justification.
2. Minimum Government requirements.

The cloud offerings must continue at their current level in order to support...These offerings include...All my minimum stuff

1. Proposed sole source contractor.

Google Support Services

1. Discussion regarding the cause of the sole source situation.

cause of sole source - custom

1. Demonstration of unique source.

Google possesses the knowledge, skills, capabilities, certification, clearance, and experience required to continue the program without a break or degradation in critical mission services. Given these critical mission requirements, Google is the only contractor that is capable of performing the necessary services for the DoD within the current required timeline.

1. Procurement discussion.
2. google constraints
3. Since there is already an existing environment, the CSP is immediately able to shift to supporting the resultant award associated with this contract action, it would minimize any associated transition costs for the Government. In addition, another contractor would not be positioned to leverage investments made to date to most efficiently meet the objectives of the task order for the anticipated PoP.
4. Impact.

requirement impact details

5. COST/PRICE FAIR AND REASONABLE DETERMINATION:

A determination that the price is fair and reasonable will be based on a comparison of the contractor’s proposal to the independent government cost estimate and the JWCC Catalog pricing, including any discounts, which was previously found to be fair and reasonable and based on the contractor’s commercial pricing.

6. MARKET RESEARCH:

Market research for the basic JWCC Contracts was conducted and resulted in a signed market research report on 9 Nov 2021. After a survey of the market, it was concluded that the JWCC Contract is in the Government’s best interest due to technical feasibility and cost to the Government.

research details - generated

7. ANY OTHER SUPPORTING FACTS: None.

8. ACTIONS THE AGENCY MAY TAKE TO REMOVE OR OVERCOME BARRIERS THAT LED TO THE EXCEPTION TO FAIR OPPORTUNITY:

1. Procurement History:

Contract Number: 123123132

Task Order Number: 634534543

Period of Performance: December 07, 2022 - May 31, 2023

Competitive Status: Small business (SB) set-aside

Business Size: HUBZone

Contract Number: 284632495436546

Task Order Number: TO32907423

Period of Performance: May 16, 2022 - May 16, 2023

Competitive Status: Full and open competition

Business Size: Large business

(b) barriers - generated

TECHNICAL CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

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| --- | --- |
| NAME: SPC Bob Robert | SIGNATURE: |
| TITLE/ORGANIZATION: Guy |  |
| PHONE: | DATE: |

REQUIREMENTS CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

|  |  |
| --- | --- |
| NAME: GEN Who Where | SIGNATURE: |
| TITLE/ORGANIZATION: |  |
| PHONE: +1 (223) 300-4293 | DATE: |

*[To be completed by Contracting Office]*

CONTRACTING OFFICER CERTIFICATION: I certify that this justification is accurate and complete to the best of my knowledge and belief.

|  |  |
| --- | --- |
| NAME: | SIGNATURE: |
| TITLE/ORGANIZATION: |  |
| PHONE: | DATE: |

ALL QUESTIONS REGARDING THIS JUSTIFICATION ARE TO BE REFERRED TO *[insert name, phone number, and email of Contracting Officer or Contract Specialist as appropriate]*