

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Solicitation No.:

Project Name: Microsoft Server 2003 Extended Maintenance

In accordance with FAR 6.302, the proposed contractual action is pursuant to the statutory authority of 41 U.S.C. 253(c)(2)

1. **Agency and Contracting Activity.** Department of the Interior (DOI) Office of the Chief Information Officer (OCIO), Bureau of Reclamation (Reclamation) Information Resources Office (IRO). Award will be issued by Denver Acquisition and Assistance Management Division.
2. **Nature/Description of Action.** This is a Firm Fixed Price award for Extended Maintenance for one hundred licenses of Microsoft Server 2003 for all DOI services. The Period of Performance for this action is for one year a base period of three months and three optional periods of three months. [REDACTED]
3. **Description of Supplies/Services.** This requirement is for Extended Maintenance for one hundred licenses of Microsoft Server 2003 for all DOI servers in order to ensure all systems are secure and patched.
4. **Statutory Authority Permitting Other than Full and Open Competition.**

	Authority	FAR Coverage	Application
<input type="checkbox"/>	41 U.S.C. 253(c)(1)	FAR 6.302-1	Only one responsible source and no other supplies or services will satisfy agency requirements
<input checked="" type="checkbox"/>	41 U.S.C. 253(c)(2)	FAR 6.302-2	Unusual and compelling urgency
<input type="checkbox"/>	41 U.S.C. 253(c)(3)	FAR 6.302-3	Industrial mobilization; engineering, developmental or research capability; or expert services
<input type="checkbox"/>	41 U.S.C. 253(c)(4)	FAR 6.302-4	International Agreement
<input type="checkbox"/>	41 U.S.C. 253(c)(5)	FAR 6.302-5	Authorized or required by statute
<input type="checkbox"/>	41 U.S.C. 253(c)(6)	FAR 6.302-6	National Security
<input type="checkbox"/>	41 U.S.C. 253(c)(7)	FAR 6.302-7	Public Interest

5. **Demonstration of Contractor's Unique Qualifications.** New Tech is an authorized reseller of Microsoft products. Due to the recent cyber-attacks on Federal Government IT systems OMB and DHS have issued mandates for additional cyber security for all

Federal Government IT systems and assuming the risk of keeping these systems on-line without current patches is not a prudent or judicious option.

6. **Description of efforts made to maximize competition.** A notice will not be posted as the exception 5.202(a)(2) applies. It is impracticable for the requirement to be solicited as there are deadlines that must be met and IT systems with any vulnerability that are not addressed by the deadline will have to be taken offline until the vulnerabilities are addressed, which will negatively impact the Department's mission.
7. **Determination of Fair and Reasonable Cost.** Award will be issued under New Tech's GSA Schedule. In accordance with FAR 8.404(d) prices under the schedules are already determined to be fair and reasonable.
8. **Description of Market Research Conducted.** There are multiple vendors that are authorized resellers of the Microsoft Service 2003 Extended warranty as New Tech but at this time due to the urgent and compelling need the services will only be solicited from New Tech which is the current provider of the Microsoft Premier Software that this maintenance is for.
9. **Any Other Supporting Facts.** The Extended Maintenance is required to assist OCIO in maintaining the security of the systems across the department. This extended maintenance will provide needed patches to maintain security of IT systems and servers.
10. **Listing of Interested Sources.** Not Applicable.
11. **Actions Taken to Remove Barriers to Competition.** In the future competition will be obtained if similar requirements are needed. At this time the urgent and compelling need do not allow for enough time for competition.

REQUESTING OFFICE REPRESENTATIVE CERTIFICATION: ALL SUPPORTING DATA PROVIDED AND THE CONTENTS OF THIS JUSTIFICATION ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

(All Justifications > SAT Level)



Signature

7/22/15

Date

CONTRACTING OFFICER (CO) CERTIFICATION:

(Non-competitive actions ≤ \$25K) (DIAPR 2008-10)



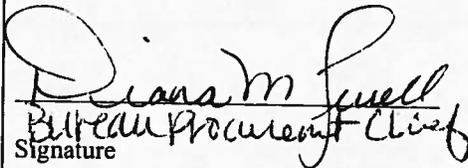
Signature

7/24/15

Date

CHIEF of the CONTRACTING OFFICE CERTIFICATION (CCO):

(New Awards ≥ \$25K) (DIAPR 2008-10)



Bureau Procurement Chief

Signature

7/24/15

Date