UNITED STATES MARINE CORPS
REGIONAL CONTRACTING OFFICE
MARINE CORPS INSTALLATIONS PACIFIC
CAMP SMEDLEY D. BUTLER, OKINAWA
PSC 557, BOX 2000
FPO AP 96379-2000

# JUSTIFICATION AND APPROVAL FOR USE OF OTHER THAN FULL AND OPEN COMPETITION
## J&A Control # M67400-FY15-SSBN-07

### 1. Agency and Contracting Activity.

III MEF Headquarters Group III MEF
Unit 35607
Camp Butler, Okinawa Japan

MCIPAC Regional Contracting Office Butler
PSC 577 Box 2000
FPO AP 93679-2000

### 2. Description of Action Being Approved.

Request is for approval to use other than full and open competition (Brand Name) to award a firm fixed price contract for the procurement of SYNCSORT NSB Protection Conversion License utilized by III MEF and SYNCSORT Silver level Support and Service.

The pricing provided by the manufacturer for this procurement is $[redacted] as outlined below.

Estimated Dollar Value

| Item Description | Qty | Sub-Total |
|---|---|---|
| **NEW LICENSE**<br>Master License for Windows<br>NSB Protection – per TB<br>SharePoint Object Recovery – 1 Content DB | <br>3<br>30<br>15 | <br>$[redacted]<br>$[redacted]<br>$[redacted] |
| IFF Fee | 1 | $[redacted] |
| **SUPPORT SERVICES**<br>Silver Level (7x24x365) – 21% of product license list price per year | 1 | $[redacted] |
| | **GRAND TOTAL:** | $[redacted] |

### 3. Description of Supplies/Services.

12 month silver maintenance 7x24x365 telephone technical support, e-mail support, patch support, and new releases. Access to customer portal and knowledge base. New capacity based licensing for our backup software.

### 4. Statutory Authority Permitting Other Than Full and Open Competition.

This request is submitted pursuant to the authority of Title 10.US.C.2304(c)(1), which provides that full and open competition need not be obtained where there is "only one responsible source and no other supplies or services will satisfy agency requirements." (FAR 6.302-1(c) – Brand Name)

## 5. Rationale Justifying Use of Cited Statutory Authority.

SYNCSORT is the current database backup solution being used at III MEF, if different backup solution other than SYNCSORT is implemented the government would incur great additional costs both monetarily and in the form of highly valuable historical data loss. Monetary costs would in the form of purchasing new software, software licenses and training to be proficient in its use. In addition all highly valuable historical data that is currently being backed up via SYNCSORT would be lost across 3 different networks because other solutions would not be compatible or be able to read the current historical backups.

Based on the above, the acquisition of SYNCSORT NSB Protection Conversion License and SYNCSORT Silver level Support and Service are necessary and in the Government's best interests.

## 6. Description of Efforts Made to Solicit Offers from as Many Offerors as Possible

This effort will be synopsized in FedBizOps in accordance with the requirements for FAR 5.2. The Contracting Office shall evaluate all responses received to determine if any other company can provide the required equipment and services.

## 7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine that the price of this acquisition is fair and reasonable in accordance with FAR 13.106-2 and to the extent deemed necessary by the Contracting Office, using price analysis techniques in the FAR 13.106-3.

## 8. Actions to Remove Barriers to Future Competition.

Due to only one responsible source being able to satisfy the agency's requirements because of the proprietary nature of the software license, there is no feasible alternative to remove barriers to competition at this point.

## 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:**

_____ Date 12/18/14

GySgt Brent H. Thomas (USMC)
III MEF G-6 Network Operations Chief

### Legal Sufficiency Review

I have determined that this Justification is legally sufficient.

KESKE.ZENON.W.1241633442 Digitally signed by KESKE.ZENON.W.1241633442 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USMC, cn=KESKE.ZENON.W.1241633442 Date: 2014.12.18 15:04:25 +09'00' Date_____

Maj Zenon Keske (USMC)
Legal Counsel, MCIPAC Pacific Area Counsel

**Contracting Officer Certification**

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

DURAN.CARLOS.J.1186836827 Digitally signed by DURAN.CARLOS.J.1186836827 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USMC, cn=DURAN.CARLOS.J.1186836827 Date: 2014.12.18 16:48:26 +09'00' Date 18 December 2014

MSgt Carlos Duran
Contracting Officer, MCIPAC Regional Contracting Office

**MCIPAC Competition Advocate:**

SCHMID.STEVEN.JOHN.1144353940 Digitally signed by SCHMID.STEVEN.JOHN.1144353940 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USMC, cn=SCHMID.STEVEN.JOHN.1144353940 Date: 2014.12.19 10:06:20 +09'00' Date 18 December 2014

LtCol Steven J. Schmid (USMC)
Chief of the Contracting Office
MCIPAC Regional Contracting Office - Butler, MCB Butler, Okinawa, Japan