# JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Upon the basis of the following justification, I as Contracting Officer hereby approve use of the other than Full and Open competition for the proposed contractual action pursuant to the authority of 10 USC 2304(c)(1), only one responsible source and no other supplier or servicing activity will satisfy agency requirements, as implemented by FAR 6.302-1.

## 1. Contracting Activity

Naval Postgraduate School
Department of Contracting and Logistics
1 University Circle
Monterey, CA 93943

## 2. Description of the Action Being Approved

This justification covers the procurement of the renewal of site licenses and maintenance agreements for MATLAB software from The MathWorks, Inc. MATLAB is package of platform independent math analysis programs. This justification for other than full and open competition will be posted at the Government wide Point of Entry.

## 3. Description of Supplies/Services

MATLAB is a site license for math analysis programs held by the Information Technology and Communications Services department and is used campus-wide at the Naval Postgraduate School.

The estimated cost is [redacted]

## 4. Statutory Authority Permitting Sole Source

FAR 6.302 -- Circumstances Permitting Other Than Full and Open Competition.

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

## 5. Rational Justifying Use of Cited Statutory Authority

The software licensed for FY13 must be identical to software licensed in FY12. Classes and research projects are structured around the MATLAB software package and continuing access is required.

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

Market research was conducted and MathWorks, Inc. is the only vendor authorized to support the academic software license.

## 7. Determination of Fair and Reasonable Cost

Costs will be determined fair and reasonable at time of award by the Contracting Officer and based on previous contracts and similar contracting efforts.

## 8. Market Research

Market research was conducted through web searches and consulting knowledgeable industry experts. No substitute products were found. No authorized resellers were identified.

## 9. Other Facts Supporting Use of Other Than Full and Open Competition

MATLAB is deployed and used throughout NPS in almost every academic department. The product is also extensively wired into various curriculums, integrated into planning, documentation, laboratory worksheets and exercises. Conversion to another similar software package would not be in the best interest of the government.

This is a commercially-available off the shelf software package offered to NPS under academic discounts for a site license. Acquisition of any other similar software package would cost significantly more in conversion costs than renewing the current site license and maintenance.

## 10. Actions to Remove Barriers to Future Competition

There are currently no plans to remove barriers for future competition. Market research will be conducted prior to future year's renewal.

## 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 and Requirement Cognizance**:

[redacted]

### CONTRACTING OFFICER CERTIFICATION

To the extent that the LSJ value is between $2,500 and $150K for services and between $3K and $150K for products, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

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

[redacted]

Contracting Officer