



**UNITED STATES MARINE CORPS**

BLOUNT ISLAND COMMAND  
5880 CHANNEL VIEW BOULEVARD  
JACKSONVILLE, FLORIDA 32226-3404

IN REPLY REFER TO  
BIC- 16-0022

MEMORANDUM TO THE FILE

**Subj: JUSTIFICATION FOR USE OF OTHER THAN FULL AND OPEN  
COMPETITION FOR AN ACQUISITION UNDER THE SIMPLIFIED ACQUISITION  
THRESHOLD for CommVault software maintenance.**

**I. BACKGROUND:**

1. FAR 13.106-1(b)(1)(i) The material listed on M54026-16-SU-DD906 is available from only one source and competition is precluded for reasons indicated below. IAW FAR 6.302-1, there are no other brand name substitutes available that will meet the Government's minimum needs of standardized equipment.

**II. DESCRIPTION OF ITEM OR SERVICE:**

CommVault has redefined enterprise backup and recovery to help you speed recovery, reduce costs and simplify operations. As the foundation for a modern approach to data protection, Simpana software transcends the limitations of legacy approaches and point products by integrating application awareness with hardware snapshots, indexing, global deduplication, replication, search, and reporting, all within a single platform Provides 24/7 provides technical support with software upgrades from manufacture Required Delivery Date: 1 September 2016

**III. THE DETERMINATION FOR USE OF OTHER THAN FULL AND OPEN  
COMPETITION IS BASED ON THE FOLLOWING *(select all that apply)*:**

**A.      *ONLY ONE RESPONSIBLE SOURCE* *(select all that apply)*:**

1.      RESTRICTIVE RIGHTS. The source has established proprietary rights, limited rights in data, patent rights, copyrights or secret processes in the item or service required.
2.   X   EXCLUSIVE LICENSING AGREEMENTS. The item or service is only available from the Original Equipment Manufacturer (OEM),

Manufacturer's Dealer/Rep: COMMVAULT

Dealer/Rep Address and Phone Number:

CommVault®  
2 Crescent Place  
Oceanport, NJ 07757  
servicecontracts@commvault.com  
P – (888) 746-3849  
F – (732) 728-7118

3. \_\_\_ OTHER REASONS. This software maintenance is essential for the daily operations of Blount Island Command. Simpana software delivers an integrated, single-platform approach to managing data replication no matter what your requirements are for data access, protection, recovery and compliance. This unique approach helps to ensure business continuity, reduce downtime and lower operational costs. Regardless of the underlying storage devices, Simpana software provides automated options to replicate data without impact to production systems. The result is hardware flexibility across both storage tiers and locations for either disk or cloud storage.

**B.  BRAND NAME**

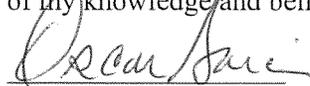
*CommVault Software*

**C. \_\_\_ URGENT AND COMPELLING.** The supplies or services are of such unusual and compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals. Urgent requirements are supplies or services that will result in a work stoppage, or are mission critical and the routine processing time would result in injury to the Government. The determination that the procurement for the above item/service is an urgent and compelling requirement is based on the following:

1. Date on which the requirement was first identified: 1 January 2016
2. Required delivery date/period of performance:
3. 1 September 2016
4. Explanation of why delivery/commencement of services by the date mentioned above is required: Simpana software delivers an integrated, single-platform approach to managing data replication no matter what your requirements are for data access, protection, recovery and compliance. This unique approach helps to ensure business continuity, reduce downtime and lower operational costs. Regardless of the underlying storage devices, Simpana software provides automated options to replicate data without impact to production systems. The result is hardware flexibility across both storage tiers and locations for either disk or cloud storage.

IV. CERTIFICATIONS:

**A. Technical / Requirements Certification:** I certify that the facts and representation under my cognizance which are included in this justification are complete and accurate to the best of my knowledge and belief.

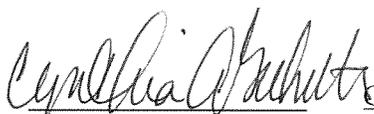


Signature

Oscar Garcia 904-696-5321  
Name (Printed) / Phone #

19 July 2016  
Date

**B. Contracting Officer Certification:** I certify that this justification is accurate and complete to the best of my knowledge and belief.

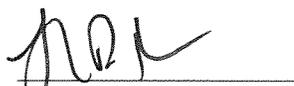


Signature

Cynthia Gubitti 904-696-5360  
Name (Printed) / Phone #

19 July 2016  
Date

**C. Legal Counsel Certification:** I certify that this justification is accurate and complete to the best of my knowledge and belief.



Signature

John P. Turner  
Name (Printed) / Phone #

19 July 2016  
Date