

**U.S. DEPARTMENT OF JUSTICE
UNICOR, FEDERAL PRISON INDUSTRIES, INC.**

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
BRAND NAME**

Authority Cited: FAR 6.3 Subpart 6.302-1, No Other Supplies or Services Will Satisfy Agency Requirements.

- 1. Identification of the agency and the contracting activity originating the J&A:**
UNICOR, SERVICES BUSINESS GROUP (SBG)
400 FIRST STREET NW
WASHINGTON, DC 20534

Nature and/or description of the action being approved.

UNICOR, SBG is requesting a Brand Name specific contract for a one (1) year Base Year and four (4) – one (1) year option periods, Requirements contract for computer software maintenance and upgrades. The current contract will be exhausted on March 4, 2012. SV0056-12 is currently being put together for a long term contract looking for new sources. Brand Name specific software is required due to the extensive testing and use UNICOR has done with the Patent Automated Tracking Network (PatNet) and Case 360 software (formally known as Global 360).

- 2. Description of the supplies or services required that meet the agency's needs:**

Description	Quantity Required	Unit Price	Dollar Value
Server Relocation and System/Software Upgrades – Base Year Only	1	50,000.00	50,000.00
Ongoing Technical and Management Support	5 Years	75,000.00	375,000.00
Ongoing Software Management Support	5 Years	145,000.00	725,000.00

TOTAL

\$1,125,000.00

- 3. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires the use of the authority cited.**

UNICOR has expended over \$2M dollars in the past on the installation and upkeep of this software. To change to a new software would be cost prohibitive to UNICOR and not considered in our best interest at this time.

The PatNet system was built using the Global 360 Case Manager Product, which was purchased by OpenText BPM and therefore this product must continue to be used in order for this system to be functional.

4. **A description of effects made to ensure that offers are solicited from as many potential sources as is practical including whether a CBD notice was, or will be, publicized as required by Subpart and, if not, which exception under 5.202 apply.**

SV0056-12 will be posted to the Federal Business Opportunities website, which will allow new suppliers or the needed software the opportunity to bid the new contract. At this time, there are a number of vendors who have the authority to sell the PatNet (Patent Automated Tracking Network) and the Case 360 software to provide this requirement.

5. **A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.**

Price comparisons were made with past procurement history and the Independent Government estimate.

6. **Description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.**

UNICOR has worked with the manufacturer of this software to ensure that all possible sources will be contacted on this new solicitation. We have looked at other products available with similar capabilities, however, it was determined that this was not the way to go, since UNICOR has already expended over \$2m on the current software, testing and ensuring it will work within the prison environment and our security needs.

7. **Any other facts supporting the use of other than full and open competition.**

The use of other than full and open is for the brand name only. This requirement is still be set-aside for a small business contractor.

8. **A listing of sources (need minimum of two), that expressed in writing, an interest in the acquisition.**

IMC
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Reston, VA 20191
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Lisabeth L. Day,
Chief, Procurement Branch

Approve/Disapprove & Date

Phil Sibal,
Deputy Assistant Director/Competition Advocate (if over \$500K)