

CONTROLLED UNCLASSIFIED INFORMATION

Justification for an Exception to Fair Opportunity or to Use Brand-Name Restriction

Is this a brand-name justification? Yes No

Is this a Bridge Action as defined in the AF Bridge Action Reduction Plan? Yes No

Contracting Activity: 763 Enterprise Sourcing Squadron (ESS)/PKA

Purchase Request / Local ID Number:

Program Name (and Program Element, if applicable): Global Transport Platform as-a-Service (GTPaaS)

Estimated Cost/Price of the Order (including options): \$ [REDACTED]

Type Program (see DAFFARS 5302.101 for definitions): PEO Program Operational Enterprise

Type of Determination: Individual Class Expires: [click and select]

Fair Opportunity Exception: FAR 16.505(b)(2)(i) (Check the applicable subparagraph below.)

(A) (B) (C) (D) (E) (F) (G) Check this box to display the FAR 6.302 exceptions.

[Click here for instructions to complete the boxes below.](#)

(1) Contracting Activity:

The Department of the Air Force (DAF), Air Force Installation Contracting Center (AFICC), 763d Enterprise Sourcing

Squadron (763 ESS), 510 POW/MIA Dr., Bldg P40, Scott AFB, IL 62225-5022.

(2) Nature and/or description of the action being approved:

763d ESS intends to solicit, compete, and award via National Aeronautics and Space Administration Solutions for Enterprise-Wide Procurement (NASA SEWP V) for Headquarters (HQ) Air Mobility Command Intelligence, Surveillance and Reconnaissance Directorate (HQ AMC/A2) under the North American Industry Classification (NAICS) code 541519. The exception to the fair opportunity process will be by using (FAR) 16.505(B)(2)(i)(B). The resultant award will be a firm-fixed price delivery order for [REDACTED]

(3) Description of the supplies/services required to meet the agency's needs:

Air Mobility Command (AMC)/A2 requires a task order for a Global Transport Platform-as-a-Service (GTPaaS). The GTPaaS will allow forward deployed users, to connect their edge infrastructure (i.e. JEFF-K), using their desired transport path (SATCOM, 4G/5G, LTE, Wi-Fi, etc.) to quickly and dynamically access their applications/data inside a dedicated Non-Secure Internet Protocol Router Network (NIPRNet), Secret Internet Protocol Router Network (SIPRNet), and Air Force Joint Worldwide Intelligence Communication System (AF JWICS) gateway. The GTPaaS will provide peer to peer communication at the the tactical edge through rapid acquisition and development of new capabilities.

The period of performance (POP) is one 12-month base period and two 12-month option periods (30 September 2024 to 29 September 2027). The total estimated price for this task order is \$ [REDACTED] (including three year period plus 6-month extension of services) based on the Mission Partner's (MP)

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Independent Government Cost Estimate (IGCE). The IGCE is based on current approved labor categories and rates. A Purchase Request (PR) Form 9, [REDACTED] was certified on 3 Mar 2024 and [REDACTED] was certified 30 Apr 2024 using FY24 Air Force (AF) funds. All SEWP V Contracts have an effective ordering period of May 1, 2015 through April 30, 2025. The base contracts were awarded for 5 years with one 5 year option for a total of 10 years. Each contract has a \$20 Billion contract limit. The current available ceiling for any given contract is a minimum of \$18,121,581,386.79. Therefore, the total estimated price of this task order is within the NASA SEWP maximum ceiling amount.

The anticipated CLIN structure is as follows:

Base Period (30 Sep 2024 - 29 Sep 2025):

CLIN	Description	Unit of Measure	Quantity	Unit Price	Total
0001	Starshield	Each	25	\$ [REDACTED]	\$ [REDACTED]
0002	IntelSat	Each	5	\$ [REDACTED]	\$ [REDACTED]
0003	MANTLE	Each	1	\$ [REDACTED]	\$ [REDACTED]
0004	SD-WAN	Each	1	\$ [REDACTED]	\$ [REDACTED]
0005	Admin Supp	Monthly	12	\$ [REDACTED]	\$ [REDACTED]
0006	SEP	Each	1	\$ [REDACTED]	\$ [REDACTED]
Total \$				[REDACTED]	[REDACTED]

Option Period 1 (30 Sep 2025 - 29 Sep 2026):

1001	Starshield	Each	25	\$ [REDACTED]	\$ [REDACTED]
1002	IntelSat	Each	5	\$ [REDACTED]	\$ [REDACTED]
1003	MANTLE	Each	1	\$ [REDACTED]	\$ [REDACTED]
1004	SD-WAN	Each	1	\$ [REDACTED]	\$ [REDACTED]
1005	Admin Supp	Monthly	12	\$ [REDACTED]	\$ [REDACTED]
1006	SEP	Each	1	\$ [REDACTED]	\$ [REDACTED]
Total \$				[REDACTED]	[REDACTED]

Option Period 2 (30 Sep 2026 - 29 Sep 2027):

2001	Starshield	Each	25	\$ [REDACTED]	\$ [REDACTED]
2002	IntelSat	Each	5	\$ [REDACTED]	\$ [REDACTED]
2003	MANTLE	Each	1	\$ [REDACTED]	\$ [REDACTED]
2004	SD-WAN	Each	1	\$ [REDACTED]	\$ [REDACTED]

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2005 Admin Supp	Monthly	12	\$ [REDACTED]	\$ [REDACTED]
2006 SEP	Each	1	\$ [REDACTED]	\$ [REDACTED]
Total \$ [REDACTED]				
Extension of Services (EOS) (30 Sep 2027 - 31 Mar 2027):				
3001 Starshield	Each	25	\$ [REDACTED]	\$ [REDACTED]
3002 IntelSat	Each	5	\$ [REDACTED]	\$ [REDACTED]
3003 MANTLE	Each	1	\$ [REDACTED]	\$ [REDACTED]
3004 SD-WAN	Each	1	\$ [REDACTED]	\$ [REDACTED]
3005 Admin Supp	Monthly	6	\$ [REDACTED]	\$ [REDACTED]
3006 SEP	Each	1	\$ [REDACTED]	\$ [REDACTED]
Total \$ [REDACTED]				
Requirement Total: \$ [REDACTED]				

(4) Identification of the exception to fair opportunity and the supporting rationale:

The specific exception that precludes the fair opportunity process for this acquisition is FAR 16.505(b)(2)(i)(B). In accordance with FAR 16.505(b)(2)(i)(B) only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized. The GTPaaS will provide NIPRNet, SIPRNet, & AF JWICS access for the AMC/A2 command wide intelligence analysts in support of the AMC world-wide mission. The intelligence data collected and distributed by the access provided by the GTPaaS will be used to protect AMC & DoD personnel, and the aircraft they fly. In FY23, 32 JEFF-Ks were purchased to replace the obsolete systems. In order for the JEFF-Ks to be fully operational they require access to the NIPRNet, SIPRNet, and AF JWICS network entry points provided by the GTPaaS. [REDACTED], who designed the JEFF-Ks has all the capabilities needed in order to make the JEFF-Ks operational. In addition the contractor must have a facility within two nautical miles of an AMC base. In accordance with the AFJWICS engineering office and the existing AFJWICS enterprise Authority to Operate (ATO) and System Impact Analysis (SIA) has strict policies on circuit accreditation and connections. Their process requires long haul circuit connections to be terminated at specific locations that are assigned to the requesting organization by the enterprise. The radius restriction is intended to ensure that a vendor has NSA accredited SCIF close enough to an AMC base that will allow AMC to request the connection without delay or additional cost. If the location is not near an AMC Base, the Air Force JWICS PMO would require the connection to be made to the closest regional transfer node. Because AMC/A2 staff does not have physical access, nor network rights at any location that is not physically on an AMC base and housed in an AMC accredited SCIF, we would be unable to complete the necessary steps required to allow the vendor to complete the scope of work required for GTPaaS. Additionally, all circuit actions require the Defense Information System Agency (DISA) to provide either a government-owned or contracted fiber optic

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line. When DISA receives a request to have a fiber path assigned, they determine if there is an available DISA-owned connection. If there is a connection available, there is zero cost to the organization. If no DISA-owned connection is available, DISA will provide a commercially leased line, and the requesting organization must pay a monthly fee to lease the line. If no lines exist to complete the request, DISA will contract with telephone and internet service providers to have a line run and set up a lease agreement. In this scenario, the organization has no ability to predict pricing. If the organization does not have the funds available within thirty days of being notified of the quoted price, the circuit request is canceled, and the requester must complete another circuit request. There is no guarantee that the quoted price will stay the same. The mission risk of going through this process and the unknown cost associated directly supports our need to have the vendor facility near an AMC base. Due to the nature of fiber trunk lines, there are ample amounts of DISA-owned fiber available within the immediate area of military bases. If no DISA-owned lines are available, the lease cost for connecting a facility close to an AMC base will be minimal as the cost is directly related to the distance of the two connecting points.

The contractor must have a Defense Information System Network (DISN) connection terminating at an AMC base. With no JWICS access, AMC will not be able to fulfill the AMC/CC requirement for distributed TS/SCI in the field and the AMC/A2 requirement for a single small footprint solution to access NIPRNet, SIPRNet, & AF JWICS in a deployed environment. If a contractor does not have a SCIF already they would have to go through the accreditation process through NSA which typically takes two years and an average of \$10M. Any addition to cost or delay in implementation have second and third order affects leading to the potential loss of life and Aircraft in theater.

In order to determine, if there are sources that could provide the GTPaaS the 763 ESS posted a Sources Sought notice to SAM.gov and NASA SEWP. The Sources Sought notice requested interested businesses to submit a brief capabilities statement which provided information on whether they were capable of providing a Global Transport Platform as-a-Service IAW the draft Performance Work Statement (PWS). The Sources Sought closed on 22 July 2024. However, this response deadline was extended to 29 July 2024. In response to the posted sources sought on SAM.gov, 11 responses were received from seven large businesses: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] and four small businesses: [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. NASA SEWP received one response of a Small Business, [REDACTED]. After the initial review 11 of the capability packages were determined to be not capable of providing the support necessary for the GTPaaS requirement. [REDACTED] was the only contractor that was capable and met essential components of GTPaaS. [REDACTED] is the only contractor that has the capability to provide the JWICS on deployment. Another component that only [REDACTED] met was providing a JEFF-K infrastructure automation tool to enable agile combat employment (ACE) capabilities for non-traditional IT users who require the ability to quickly establish communications while deployed forward. [REDACTED] is able to accomplish this through their automation tool called MANTLE. This is a proprietary tool to [REDACTED] which allows deployed personnel to quickly reload the configuration for the JEFF-K in the event of equipment malfunctions and dumps the system configuration. A contractor without this capability will not be able to load the JEFF-K automatically, which would take hours if it has to be completed manually. [REDACTED] also has a facility within two nautical miles of an AMC base that they would manage and also has the capability to house all items outlined in the PWS. This also includes having an NSA-certified SCIF. Based on the market research there were 11 companies interested but only one was determined technically capable of meeting the requirements

After the Sources Sought closed on 29 July, the Mission Partners reviewed the responses to the Sources Sought and determined that [REDACTED] was found to be the only technically capable contractor IAW PWS Paragraphs 4.2, 4.3, 4.4, 4.5, 6, and 7. To use another contractor would delay the implementation between 12-18 months as another contractor would have to design a GTPaaS Solution. A delay in the GTPaaS would

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mean that there would be no global enterprise network for deployed AMC/A2 users since the current, SIPRNet operation only, communication kits have internal components no longer supported by the manufacturer. Any addition to cost or delay in implementation have second and third order affects leading to the potential loss of life and Aircraft in theater.

Finally, the JEFF-Ks will be useless if the GTPaaS is not purchased and would be a substantial duplication of cost to the Government that would not be recovered through competition. The current 32 each JEFF-Ks purchased in FY23, at a total cost of over \$ [REDACTED], will sit on the shelf if there is not an access point for the NIPRNet, SIPRNet, & AF JWICS networks.

(5) Contracting Officer's determination that the anticipated cost to the Government will be fair and reasonable:

The Contracting Officer will use one or more of the price analysis techniques described at FAR 15.404-1(b)(2) to ensure the price to the Government is fair and reasonable.

(6) Other facts supporting the justification:

Commander, Air Combat Command (COMAMC) has tasked the AMC Intelligence, Surveillance and Reconnaissance (ISR) enterprise with providing exquisite (TS/SCI) intelligence across the globe. To be successful AMC will need the Global Transport Platform as a Service (GTPaaS) and the JEFF-K deployable communications kits.

AMC requires a mobile, agile, and secure TS/SCI capability in the deployed environment. U.S. Forces need to have constant, near-real time awareness of the threat. This can only be accomplished through access to NIPRNet, SIPRNet, & AF JWICS in all locations across the globe. Additionally, this single solution is scoped to meet new AMC deployable unit type codes which match our small, deployed footprint ensuring AMC remains agile and provides full-scope threat data and analysis.

Furthermore, GTPaaS and JEFF-Kits are needed as early as late-Winter 2024 and early-Spring 2025 to support multiple lead up events, planning, and training for Op Mobility Guardian, ultimately ensuring AMC pilots and aircrews receive full-scope threat data and indications and warnings.

The current systems, which only operate on SIPRNet, do not allow analysts to synthesize full-scope threat data or provide that data to aircrews. Moreover, they are beyond the need for replacement and no longer meet AMC/A2 mission requirements. AMC/A2 cannot wait for another vendor to design a solution which may not meet our small footprint system requirements.

[REDACTED] has the SCI facility (SCIF), knowledge, and experience to bring the GTPaaS to operational status in AMC/A2 required timeline. Additionally, [REDACTED] provides tailored training for this solution to ensure AMC ISR analysts are ready to execute this no-fail mission. Any other vendor would result in unacceptable delays and would not meet COMAMC's intent to project power, maneuver and sustain the Joint Force.

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[Redacted]

(7) Actions the agency may take to remove or overcome any barriers to increasing fair opportunity before any subsequent acquisition for the supplies or services:

The MP wanted a Base plus 4 years, but in order to promote future competition we are awarding a Base plus 2 years to allow additional lead time required for interested contractors to get set-up to meet the 2-mile requirement and develop their own GTPaaS.

(8) Program Manager's certification that supporting data is accurate and complete:

As evidenced by my signature below, I certify that any supporting data contained herein, which is my responsibility, is both accurate and complete.

(9) Contracting Officer's certification that the justification is accurate and complete:

As evidenced by my signature below, I certify that the justification is accurate and complete to the best of my knowledge and belief.

(10) Approving Official's determination that one of the circumstances in [FAR 16.505\(b\)\(2\)\(i\)](#) applies to the order.

As evidenced by my signature below, I hereby determine that the fair opportunity exception checked on page 1 applies.

Date [Redacted]	Program Manager [Redacted]	Signature [Redacted]
Date [Redacted]	Contracting Officer [Redacted]	Signature [Redacted]
Date [Redacted]	Legal Reviewer [Redacted]	Signature [Redacted]
Date [Redacted]	Chief of the Contracting Office (COCO) [Redacted]	Signature [Redacted]
Date [Redacted]	Approval Authority [Redacted]	Signature [Redacted]

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Instructions for Completing the Template IAW FAR 16.505(b)(2)(ii)(B)

- (2) State whether the action is a new order or a modification to an existing order. Identify the basic multiple award contract number and the order number for the current action. Also identify the type of the order/line items on the order (e.g., Firm Fixed price, Cost Plus Fixed Fee, etc.).
- (3) Specifically describe the supplies/services to be acquired including the price/cost and quantity of each item in the order and the total estimated value of the order. For services, state whether services are performance-based, and if not, provide rationale for not being performance based. State the delivery/performance schedule/period for the items under the order. Explain how the requirement/order fits under the scope of the basic multiple award contracts. (Note: The Contracting Officer must ensure that the order is issued within the period of performance and within the maximum value of the contract).
- (4) Include the appropriate exception from FAR 16.505 (b)(2) and the supporting rationale. FAR16.505(b)(1)(i) requires the Contracting Officer to provide each awardee under a multiple award contract, a fair opportunity to be considered for each order exceeding \$3,000 unless a statutory exception applies. The specific exception that precludes the fair opportunity process for this acquisition is FAR 16.505(b)(2)(i)() [Insert A,B, C, D, or E]. If a brand name product description is being justified, use this section to explain why the particular brand name, product, or feature is essential to the Government's requirements and why other companies' similar products/services do not meet, or cannot be modified to meet, the agency's needs.

FAR 16.505(b)(2)(i)(A): “The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays”. When using this exception provide a detailed justification with supporting documentation that explains the exact urgency of the requirement and the mission impact if awarded to any other contractor. The user/customer typically provides this supporting information. Recommend attaching supporting documentation to the back of the document. General statements of urgency are not acceptable.

FAR 16.505(b)(2)(i)(B): “Only one awardee is capable of providing the supplies or services required at the level at the level of quality required because the supplies or services ordered are unique or highly specialized”. When using this exception provide a detailed justification, with supporting documentation, as evidence of the “unique or highly specialized” nature of the procurement. The user/customer typically provides this supporting information. Supporting documentation may be attached to the back of the document. General statements are not acceptable.

FAR 16.505(b)(2)(i)(C): “The order must be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order”. When using this exception provide information on the previously competed order under this contract and detail the economies and efficiencies that will be obtained by going sole source for the follow-on order. The user/customer typically provides this supporting information. General statements are not acceptable.

FAR 16.505(b)(2)(i)(D): “It is necessary to place an order to satisfy a minimum guarantee.”

FAR 16.505(b)(2)(i)(E): “For orders exceeding the simplified acquisition threshold, a statute expressly authorizes or requires that the purchase be made from a specified source.”

Discuss the market research that was conducted by the user/technical team/contracting officer among the supplies/services of all awardees that resulted in the conclusion that a fair opportunity exception applied. The narrative in this section should provide a high level of confidence that the requirements of FAR 16.505(b)(1) and DFARS 216.505-70 could not be met. If no market research was conducted, state so and provide the rationale. If any other awardee expressed interest in fulfilling the requirement, but was not considered a potential source, explain why that awardee cannot provide the required supplies/perform the service.

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If the use of a brand name purchase description is being justified, the market research should include an analysis of any industry proposed alternative products or approaches to meeting the requirements. Additionally, the Government's efforts to identify as many potential sources as practicable offering the required brand name item(s) should be addressed.

(5) This paragraph needs to be tailored based on the types of CLINs in the order and the pricing arrangements on the basic multiple award contract. If the contract did not establish the price for the supply or service, the Contracting Officer must establish prices for each order IAW [FAR 15.4](#). The paragraph needs to describe the steps that will ensure that the prices/estimated cost of the order will be fair and reasonable. For example, even if firm-fixed prices were obtained under adequate price competition in the award of the multiple award contract, the Contracting Officer still needs to consider market conditions and other factors that may have changed since contract award and explain the basis in the determination that prices/costs are fair and reasonable prior to award of the order.

(6) Provide any other facts supporting the use of exceptions to the fair opportunity process.

(7) Include a statement of the actions, if any, to be taken to remove or overcome any barriers that led to the exception to fair opportunity before any subsequent acquisition for the supplies or services is made. If no actions are planned, so state and provide reasons.