J&A-26-0155

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11[1]) and in accordance with the requirements of RFO 6.104, the justification for the use of the statutory authority under RFO 6.103 is justified by the following facts and rationale required under RFO 6.104-1 as follows:

1. Agency and Contracting Activity.

The Department of Homeland Security, U.S. Immigration and Customs Enforcement, Office of Acquisition Management, proposes to enter into a contract on behalf of Homeland Security Investigations (HSI), International Operation on a basis of other than full and open competition.

2. Nature and/or description of the action being approved.

(a) Nature of action: DHS ICE intends to procure on a sole source basis Amazon web hosting services, mobile device management licenses, and labor in support of the Ares suite of services. The vendor listed below is the only company that can provide the required services.

(b) Name and address of the Contractor
Parsons
5857 Trinity Pkwy #300
Centerville, VA 20120

(c) Contract Type: Firm Fixed Price Contract.

(d) Estimated Total Value (including options). [redacted]

Period		Unit Price	Total
Q2 2026 Support Services	3 mo.	[redacted]	[redacted]
		Total	[redacted]

[1] FAR Class Deviation 25-11 is implemented as a result of Revolutionary FAR Overhaul, referred as RFO, following Executive Order 14275, ***Restoring Common Sense to Federal Procurement***. All citations in this document follow applicable DHS RFO Deviations therefore are referred as RFO.

Note: Services previously awarded under 70CMSD26P00000021, contract end date March 31, 2026.

(e) Type of funding: Program Funds

(f) Year of funding: Fiscal Year 2026.

(g) Solicitation Number: N/A

(h) Parsons has been supplying the HSI BITMAP program with like services for several years. HSI BITMAP staff have reviewed similar services and products from other contractors regularly. Thus far, Parsons has beat competitors' pricing and provided steady support. Additionally, it would take at least two years to develop, test, and fully implement a competitor's product to all [redacted] locations.

The services provided by Parsons detailed in this contract include support needed for continued operation of over [redacted] and for the maintenance and development support of the Ares gateway and Ares device user application, infrastructure needed to [redacted]

The devices, maintenance of the gateway and needed system development efforts will cease without this contract.

3. Description of Supplies/Services.

The services provided by Parsons detailed in this contract include support needed for continued operation of [redacted] and for the maintenance and development support of the Ares gateway and Ares device user application, infrastructure needed to [redacted]

The Ares suite of services is proprietary to Parsons. Development of the gateway and deployment of devices was a multi-year process which cannot be replicated without several years of development, testing, foreign deployment, and foreign training activities.

The devices, maintenance of the gateway and needed system development efforts will cease without this contract leaving foreign partners, [redacted]

4. Identification of statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is 41 U.S.C. §3304 as implemented by:

☒ RFO 6.103-1: Only one responsible source and no other supplies or services will satisfy agency requirements.

☐ RFO 6.103-2: Unusual and compelling urgency.

☐ RFO 6.103-3: Industrial mobilization; engineering, development, or research capability; or expert services.

☐ RFO 6.103-4: International agreement.

☐ RFO 6.103-5: Authorized or required by statute.

☐ RFO 6.103-6: National security.

☐ RFO 6.103-7: Public interest.

***5.* Identification of Exception to the Buy American Statute**

No exception. The services detailed are provided within the continental United States.

***6.* Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.**

(a) The services provided by Parsons detailed in this contract include support needed for continued operation of [redacted] for the maintenance and development support of the Ares gateway and Ares device user application, [redacted]

(b) Parsons provides the [redacted] among other federal groups with similar support and services. [redacted] other contractors.

(c) Parsons was initially contracted due to their performance with other agencies and established track record. Alternative companies, from large international military and LE contractors to small upstarts have been sought and reviewed. Transitioning to those groups would require developing a secure HSI ecosystem, testing, and replacement of

approximately [redacted]. This would take several years and several million dollars to accomplish with no change in capability.

(d) The devices, maintenance of the gateway and needed system development efforts will cease without this contract leaving foreign partners, [redacted]

(e) No exception to Buy America Act.

7. Rational for "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements" as follows:

HSI's Office of International Operations, the Biometric Identification Transnational Migration Alert Program (BITMAP) [redacted]

[redacted]

This requirement is to provide the support services and system development for equipment and software that facilitates and enhances this capability.

This also insures [redacted] that use similar devices and services provided by Parsons.

8. Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

No announcement has been made in SAM.gov or is expected to be made at this time. This contract exists to support currently deployed devices operating within a proprietary ecosystem.

If an announcement will not be published, identify the applicable exception under FAR Part 5. FAR Part 6.202-1 Only one source is capable of providing the supplies or services

required at the level of quality required because the supplies or services are unique or highly specialized;

9. Determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The contracting officer determines that the anticipated price is fair and reasonable and is in the best interest of the Government based on a comparison of historical prices paid for the same or similar services.

10. Description of Market Research.

(a) The internet was searched and trade shows attended searching for contractors that would be able to provide the software, services and devices that would function satisfactorily with the BITMAP program to include interconnectivity with USG databases. The market research showed that only Parsons can provide the upgrades, support, and devices, and there are no other distributors but the Parsons acceptable at this time. Price lists and discussed timelines for Parsons and other contractors that provide comparable services were reviewed to assist with making the price reasonableness determination.

(b) Results of marked research show that it would take at least two years and several million dollars to develop, test, and deploy a functioning ecosystem without additional capability.

(c) If market research was not conducted, a reason for its absence must be cited here.

(d) Parsons has invested significant time in developing the ecosystem utilizing their in house employees, representing a significant intellectual property concern that cannot be sold.

11. Other facts supporting the use of other than full and open competition.

The services and ecosystem provided by Parsons are unique to the application and devices currently deployed abroad.

A good faith estimates to replace [redacted] is approximately [redacted]. A good estimate to replicate the current software, interfaces, etc.c is approximately [redacted] Additionally significant HSI staff resources and time would need to be allocated to work with new providers, eliminating the ability for those staff to perform operational requirements.

12. Listing of the sources, if any that expressed, in writing, an interest in the acquisition.

No other sources have expressed interest in writing related to this specific acquisition.

13. Statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services required.

HSI BITMAP is continually searching for more cost-effective means to overcome barriers to competition through meeting with other contractors and USG agencies.

14. Contracting Officer's Certification.

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

_____ _____

Contracting Officer Date

15. Technical/Requirements Personnel Certification.

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

_____ _____

Technical Representative/COR Date