Global Acquisitions
U.S. DEPARTMENT of STATE

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

SECTION 1: IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

Department of State Contracting Activity	☒ Acquisition Management ☐ Foreign Service Institute ☐ Office of Foreign Missions ☐ U.S. Mission to the United Nations ☐ Overseas Post
Requiring Activity	International Narcotics & Law Enforcement Affairs (INL) Embassy Mexico City

SECTION 2: NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED

Approval is requested to award a contract on a partial brand name only basis for the supplies and/or services described in Section 3 on behalf of the Requiring Activity.

SECTION 3: DESCRIPTION OF SUPPLIES/SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS

The INL Mexico Criminal Deterrence Program requires procurement of telepresence systems and secure digital communication platforms to equip up to four state or federal judiciaries and their courtrooms in Mexico's northern border states and corresponding penitentiaries. This project addresses persistent security and operational challenges when processing cases involving detainees imprisoned for Transnational Criminal Organization (TCO) and Foreign Terrorist Organization (FTO) activities.

The contract includes procurement, delivery, installation, integration, testing, system documentation, end-user and system administrator knowledge transfer, and project management services for a complete telepresence solution.

Brand Name Only Items:

1. **Item 8: Microsoft Office Home & Business 2024** (77 licenses) - Perpetual license with Spanish language support, compatible with Windows 11 Pro, required for compatibility with Mexican government document standards

2. **Item 12: Google Workspace Enterprise Standard License** (64 licenses, 3-year term) - Up to 500 participants per meeting, AI-generated notes and transcriptions, 5 TB storage per user, advanced Data Loss Prevention, required for integration with Comprehensive Audience Management Services (SICAS)
3. **Item 13: Google Workspace Enterprise Plus One License** (77 licenses, 3-year term) - Up to 1,000 participants per meeting, client-side encryption with customer-controlled keys, advanced eDiscovery and forensic audit, AI hearing transcriptions and executive summaries, required for high-security judicial proceedings
4. **Item 14: Google Cloud Platform License** (1 license, 3-year term) - Secure cloud storage with geographic redundancy, Cloud KMS encryption and Bucket Lock policies (WORM compliance), native integration with Google Workspace, required for long-term retention of judicial records

Period of Performance: Base Year (July 1, 2026 – June 30, 2027) for two judicial sites; Option Year 1 (July 1, 2027 – June 30, 2028) for two additional judicial sites.
Estimated Value: The brand name only portion is estimated at $[redacted] for the entire period of performance.

SECTION 4: IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

This statutory authority permitting other than full and open competition is 41 U.S. Code 1901 as implemented by FAR 12.000; see also FAR 12.102(b).

SECTION 5: DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

Microsoft Office Home & Business 2024:
Mexican state judiciaries operate standardized Microsoft Office environments for all official documentation, case file management, and inter-agency communication. Microsoft Office is essential because Mexican government systems require native Microsoft Office file formats (.docx, .xlsx, .pptx) for official submissions, court filings, and inter-agency document exchange. Existing judicial case files contain specific formatting, macros, and embedded objects that must be maintained for legal validity and operational continuity. Official judicial documents must maintain exact formatting and digital signatures compatible with existing Mexican government standards, which rely on Microsoft Office native features. Judiciary personnel are trained exclusively on Microsoft Office; alternative suites would require extensive retraining and create operational disruptions during the critical implementation period.
Market research confirmed that alternative office productivity suites cannot reliably maintain formatting, digital signatures, and embedded objects when exchanging documents with Mexican

government systems. Alternative products lack native integration with Mexican government IT infrastructure and do not meet Mexican government IT security standards for official judicial documentation.

Google Workspace Enterprise Standard and Plus Licenses:

Google Workspace Enterprise licenses are essential because the telepresence system architecture is designed around Google Meet integration with the Comprehensive Audience Management Services (SICAS) platform. Item 15 of the requirement explicitly specifies "Integration: Web services API for existing judicial management system" and "Video conferencing integration: Google Meet scheduling and recording." The SICAS platform requires Google Meet API integration and cannot function with alternative video conferencing platforms without complete system re-architecture.

Google Workspace provides AI-generated meeting notes, hearing transcriptions in Spanish, and executive summaries essential for judicial record-keeping as specified in the requirement. High-profile TCO/FTO cases require client-side encryption where the judiciary controls encryption keys, not the service provider. The requirement specifies "Security: Client-side encryption (customer controls the keys)" which is a feature unique to Google Workspace Enterprise Plus. Google Meet supports up to 1,000 participants and streaming to 100,000 viewers as specified in the requirement, necessary for high-profile cases with multiple parties, witnesses, and public observers.

Google Workspace integrates natively with Google Cloud Platform (Item 14) for seamless storage, automated metadata tagging, versioning, and long-term retention of hearing recordings and transcriptions. This integration is essential for Item 16 (Statistics and Indicators Services) which specifies "Features: Metrics and graph generation from video conference data, AI-based video analysis, transcription analysis."

Google Cloud Platform License:

Google Cloud Platform is essential because hearing recordings, transcriptions, and case documentation generated through Google Meet must be stored in Google Cloud Platform for seamless integration, automated metadata tagging, and AI-based analysis (Item 16). Alternative cloud platforms (AWS, Azure, Oracle Cloud) require custom integration development (estimated $200,000+) and lack native Google Workspace APIs. Google Cloud Platform provides Bucket Lock policies (WORM compliance) required for judicial record retention under Mexican law, Cloud KMS encryption for data sovereignty with customer-controlled encryption keys, and geographic redundancy with single-region configuration options for Mexican government data residency requirements. Item 16 (Statistics and Indicators Services) requires "AI-based video analysis" and "transcription analysis" which integrate directly with Google Cloud Platform's AI/ML services. Google Cloud Platform provides specialized storage classes (Standard for active data, Archive for closed cases) optimized for judicial record retention with cost-effective long-term storage (Archive: $0.0012/GB/month vs. AWS Glacier: $0.004/GB/month).

Impact of Not Using Brand Name Items:

Failure to procure Microsoft and Google brand-name items would prevent system integration (SICAS platform cannot function without Google Meet integration), compromise security (lack of client-side encryption and advanced DLP would create unacceptable risks for high-profile TCO/FTO cases), create document compatibility issues with Mexican government systems, eliminate AI capabilities (alternative platforms lack equivalent Spanish-language AI transcription accuracy), require complete redesign of the telepresence solution (estimated $500,000+ additional cost and 12-18 month delay), and degrade donated capability. As a foreign assistance donation, INL Mexico must ensure that donated equipment and software enhance rather than degrade existing Mexican government infrastructure.

Between 2019 and present, INL and CONATRIB successfully deployed a comprehensive digital justice solution across Mexico City, State of Mexico, Jalisco, and Quintana Roo, demonstrating the viability of technology-enabled judicial modernization. The current Mexican Courts Telepresence project represents a distinct and more targeted approach focused specifically on high-security challenges in Mexico's northern border states where judiciaries face elevated risks when processing TCO/FTO cases. This targeted solution addresses acute security vulnerabilities unique to prosecuting dangerous cases along the U.S.-Mexico border, where current reliance on in-person hearings creates unacceptable risks of escape, violence, and intimidation of judicial personnel.

SECTION 6. DESCRIPTION OF EFFORTS TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE, INCLUDING WHETHER A NOTICE WAS OR WILL BE PUBLICIZED AS REQUIRED BY FAR SUBPART 5.1 AND, IF NOT, WHICH EXCEPTION UNDER FAR 5.101(B) APPLIES

Market Research was conducted for this requirement via SAM.gov synopsis of a Sources Sought/RFI via Notice ID: 19AQMM26N0002 available at: https://sam.gov/workspace/contract/opp/399090070c154ca0bd27644900acf74d/view.

If approved, the brand name only justification will be posted with the solicitation on SAM.gov.

SECTION 7. DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT IS FAIR AND REASONABLE

The Contracting Office has determined that the anticipated price(s) will be fair and reasonable based on price competition; By signing the justification, the Contracting Officer makes a determination that the price to the Government is expected to be fair and reasonable.

SECTION 8. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED (SEE PART 10) AND THE RESULTS OR A STATEMENT OF THE REASON A MARKET RESEARCH WAS NOT CONDUCTED

Market research was conducted by INL Mexico in coordination with GA/AM/TSS. A Request for Information was posted on SAM.gov (Notice ID: 19AQMM26N0002). A total of six capability statements were received in response to the RFI. Of the six, one was a nonspecific boilerplate response. The capability statements were analyzed and three were found to be capable of doing the work. A fourth was found to be potentially capable of doing the work and was a U.S. small business. Of the three capable potential vendors, one was a local Mexican firm and the remaining two were U.S. small businesses. Of the potentially capable firms, neither identified existing GWACs or multi-agency contracts under which they were available. Therefore, no viable FSS, GWACs, or MACs options were evident as a result of market research efforts. The capability statements confirmed that commercial IT solutions and services would be sufficient to meet the requirement.

Six firms responded to the RFI: Kwolyewm Services LLC (UEI: W2GZGJD19A47), Katmai Systems Solutions LLC (UEI: MW8FHSMMN1P5), and Soonpro Solutions (UEI: CUPJC5RLTJ13) were found to be potentially capable of doing the work. All respondents acknowledged that Microsoft Office and Google Workspace/Cloud Platform are essential to the technical architecture based on the requirement specifications in Attachment A.

Market research confirmed that Mexican state judiciaries operate standardized Microsoft Office environments and that alternative office productivity suites cannot reliably maintain formatting, digital signatures, and embedded objects when exchanging documents with Mexican government systems. Alternative products lack native integration with Mexican government IT infrastructure.

Market research confirmed that the Comprehensive Audience Management Services (SICAS) platform specified in Item 15 requires "Google Meet scheduling and recording" and "Web services API for existing judicial management system." The SICAS platform is architecturally dependent on Google Meet API integration. Item 13 specifies "Security & Encryption: Client-side encryption (you control the keys)" which is a feature unique to Google Workspace Enterprise Plus.

Market research included comparison of Google Meet (Enterprise Plus) with alternative platforms. Google Meet is cloud-native requiring only domain configuration with no mandatory physical infrastructure, whereas alternative platforms (such as Cisco Webex) require hybrid configurations with specific network setup and often dedicated hardware (codecs). Google Meet is 100% browser-based with extreme ease of use in prison environments where personnel access via browser, whereas alternative platforms require constant app and equipment firmware updates

creating high friction. Google Meet requires 2.6 Mbps to 3.2 Mbps bandwidth with dynamic optimization that prioritizes audio if connectivity drops to prevent proceedings from stopping, whereas alternative platforms require 3.0 Mbps to 4.0 Mbps bandwidth and signal drops typically disconnect the video session. Google Meet provides universal access with a single click from mobile devices or laptops without prior downloads, whereas alternative platforms have restricted access and generally require application downloads for complete security functions. Google Meet utilizes Gemini Enterprise AI for automatic transcription, hearing minute summaries, and real-time translation, whereas alternative platforms have AI focused on audio (noise cancellation) but are limited in legal text processing. Google Workspace provides unlimited cloud storage via Drive/Vault that is centralized, unalterable, and supports legal retention of up to 100 years, whereas alternative platforms provide limited cloud storage (5GB by default) requiring manual download flows and local backup.

Item 14 specifies "Features: Geographic redundancy, object versioning, Cloud KMS encryption, Bucket Lock policies (WORM compliance)" and "Storage classes: Standard (active data), Archive (closed cases)" which are features of Google Cloud Platform. Item 16 specifies "AI-based video analysis" and "transcription analysis" which require integration with Google Cloud Platform's AI/ML services. Alternative cloud storage platforms require custom integration development and lack the native Google Workspace APIs necessary for automated storage and metadata tagging specified in the requirement. Alternative video conferencing platforms cannot integrate with the SICAS platform without complete system re-architecture and do not provide the client-side encryption with customer-controlled keys specified in Item 13.

SECTION 9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

This acquisition supports INL's bilateral assistance to the Government of Mexico under the related security cooperation programs. The equipment and software will be donated to Mexican state judiciaries and correctional facilities. As a foreign assistance donation, INL Mexico has a heightened responsibility to ensure that donated items enhance rather than degrade existing Mexican government infrastructure, provide sustainable capability supportable by Mexican government personnel with existing training, meet Mexican government IT security and document standards, and support long-term use with ongoing INL support in Mexico.

Between 2019 and present, INL and CONATRIB successfully deployed a comprehensive digital justice solution across Mexico City, State of Mexico, Jalisco, and Quintana Roo, delivering 320 secure virtual courtrooms that reached 29% of Mexico's population, achieving a 42% increase in virtual oral trials, 30% reduction in case backlogs, 58% increase in adjudication of criminal cases, 18 million case files digitized, and 87% decrease in appeals

processing time. The current Mexican Courts Telepresence project builds on this success but represents a distinct and more targeted approach focused specifically on high-security challenges in northern border states for TCO/FTO cases.

This project directly supports U.S. border security objectives by reducing escape risks during inmate transport for high-profile TCO/FTO cases, accelerating prosecutions to remove dangerous criminals from border regions more quickly, protecting judicial personnel from intimidation and violence to strengthen the rule of law, and strengthening bilateral security cooperation and information sharing.

The telepresence system is designed as an integrated solution where Items 12-16 (Google Workspace, Google Cloud Platform, SICAS, and Statistics Services) form an interdependent technical architecture. Substituting any component would break the integration and require complete re-architecture of the solution. Mexican judicial proceedings are subject to specific legal requirements for record retention, evidence preservation, and case documentation. The specified brand name items provide WORM compliance for judicial record retention under Mexican law, digital signature compatibility with Mexican government standards, encryption and data sovereignty features meeting Mexican data protection requirements, and AI transcription accuracy sufficient for official judicial records. Alternative products do not provide equivalent compliance with Mexican legal requirements.

SECTION 10. LISTING OF SOURCES, IF ANY, THAT EXPRESSED A WRITTEN INTEREST IN THE ACQUISITION

Six firms responded with capability statements: Kwolyewm Services LLC (UEI: W2GZGJD19A47, Small Business, 8(a) certified, capable, no objection to brand name restriction), Katmai Systems Solutions LLC (UEI: MW8FHSMMN1P5, Small Business, 8(a) certified, capable, no objection to brand name restriction), Soonpro Solutions (UEI: CUPJC5RLTJ13, Small Business, capable, no objection to brand name restriction), and three additional respondents (one potentially capable, two not capable based on lack of relevant experience, all acknowledged brand name requirements).
All three firms confirmed their capability statements were based on the assumption that Microsoft Office and Google Workspace/Cloud Platform would be required, they have existing relationships with Microsoft and Google authorized resellers, they understand the technical reasons for the brand name requirements, they agree with the Government's restriction to competition for these specific items, and they can provide competitive pricing for the brand name items as part of their overall proposals.

SECTION 11. STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

The Criminal Deterrence program will continue to evaluate marketplace changes to determine whether future acquisitions may allow competition. INL will monitor the development of industry-standard APIs for video conferencing, cloud storage, and judicial case management that could enable multi-vendor interoperability; coordinate with the Government of Mexico to monitor any adoption of open document standards or multi-platform productivity requirements; work with the SICAS platform vendor to explore whether future versions could support multiple video conferencing platforms through standardized APIs; collect detailed performance data during this initial deployment including Spanish AI transcription accuracy, user satisfaction, integration effectiveness, and cost-effectiveness; and conduct updated market research prior to any follow-on acquisitions to assess whether alternative products have achieved the required capabilities.

For this initial deployment, the technical architecture, integration requirements, and compatibility with existing Mexican government systems necessitate the specified brand name products. The barriers to competition are: SICAS platform is built exclusively on Google Meet APIs and cannot support alternative platforms without complete re-architecture; Mexican government document standards are based on Microsoft Office native formats; no alternative platform provides equivalent Spanish-language AI transcription accuracy for legal proceedings; no alternative platform provides client-side encryption with customer-controlled keys; and Items 12-16 form an interdependent technical architecture that cannot be disaggregated.

This is anticipated to be a discrete donation supporting up to four judicial sites over two years (base year plus one option year). No immediate follow-on acquisitions are currently planned or contemplated. If future phases are pursued, INL will conduct updated market research 12 months prior to any follow-on acquisition (estimated Q2 2028), assess whether technical barriers to competition have been reduced, consult with SICAS platform vendor regarding multi-platform support roadmap, coordinate with Government of Mexico regarding any changes to document or IT standards, and issue new RFI to assess current market capabilities. If technical barriers are overcome and market conditions change, the estimated date for first competitive acquisition of similar items would be no earlier than Q3 2028. However, for the reasons set forth in Section 5, the Office of International Narcotics and Law Enforcement Affairs has no plans at this time to compete the brand name items for this specific acquisition. If another potential source emerges that can meet all technical requirements, the Office of International Narcotics and Law Enforcement Affairs will assess whether alternative non brand name only products for future requirements is feasible.