DEFENSE LOGISTICS AGENCY
CONTRACTING SERVICES OFFICE
700 ROBBINS AVENUE
PHILADELPHIA, PENNSYLVANIA 19111-5092

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY (FAR 16.505)

1. **Identification of:**

Requiring Activity:
Defense Logistics Agency (DLA) Disposition Services
Battle Creek, Michigan 49037
[redacted]

Contracting Activity:
DLA Contracting Service Office-Philadelphia (DCSO-P)
700 Robbins Avenue
Philadelphia, PA 19111
[redacted]

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

This justification authorizes the issuance of a sole-source, firm-fixed-price task order to Accenture Federal Services as the Prime Contractor and Cherokee Federal as the subcontractor, for the sustainment, maintenance, and technical support services for the Federal Excess Property Management Information System (FEPMIS). FEPMIS is the critical system of record used by the Defense Logistics Agency's (DLA) Law Enforcement Support Office (LESO) to meet its statutory property accounting requirements under 10 U.S.C. § 2576a. This action is necessary to ensure the uninterrupted functionality of the system, which guarantees compliance with accountability mandates for the transfer of excess Department of War (DoW) property, as consistently reinforced by various National Defense Authorization Acts (NDAA) that demand strict oversight. This action will be executed against the DLA J6 Enterprise Technology Services (JETS) 2.0 which is a multiple-award Indefinite Delivery/Indefinite Quantity (IDIQ) contract.

3. **A description of the supplies or services required to meet the agency's needs (including the estimated value).**

The DLA LESO Program requires uninterrupted operational support for FEPMIS, a web-based system essential for the accountability of excess DoW property transferred to Federal, state, and local law enforcement agencies.

Controlled by: DLA DCSO – Philadelphia (DCSO-P)
CUI Category: PROCURE / SSEL
Distribution/Dissemination Controls: FED ONLY
[redacted]

Required services include:

- Migration support to and from application, including a transition-in and transition-out plans that would include but not limited to environmental setup, data migration, cutover, data extraction, system decommissioning, knowledge transfer.

- Hosting Infrastructure Management and Support: This includes the establishment, maintenance, and support of the complete FEPMIS hosting environment, including hardware, software, networking, and related infrastructure, with specific emphasis on supporting International Business Machines (IBM) Cognos Analytics. IBM Cognos Analytics is a business intelligence and performance management suite of tools used for reporting, analysis, score carding, and monitoring events and metrics to extract insight from data. The FEPMIS and Cognos interfaces are established to produce the data analytics required for the LESO's reporting requirements.

- System Maintenance: Proactive and corrective software maintenance, including bug fixes, security patching [Information Assurance Vulnerability Alert (IAVA) compliance], and version updates, including IBM Cognos Analytics environment.

- Operational Support: System administration, database management, and performance monitoring to ensure system availability and integrity, including IBM Cognos Analytics environment.

- Security Management and Compliance: Implementing and maintaining a robust security program for FEPMIS, including the IBM Cognos Analytics environment, ensuring compliance with all applicable federal security regulations and policies.

- Help Desk Services: Tier II and Tier III technical support for all FEPMIS users across the nation, including IBM Cognos Analytics environment.

- System Modernization and Enhancement: Development and implementation of system upgrades as directed by the government to improve functionality and meet evolving mission requirements, including the development of new Cognos Analytics reports and dashboards.

- Data Management and Reporting: Managing and maintaining FEPMIS data, and developing and generating reports to support LESO's mission and reporting requirements. This includes support for IBM Cognos Analytics, encompassing report development, data modeling, and troubleshooting.

- Disaster Recovery and Business Continuity: Developing, implementing, and maintaining a comprehensive disaster recovery and business continuity plan for FEPMIS, including the IBM Cognos Analytics environment.

- Transition Management: Planning and executing the transition of FEPMIS from the current hosting environment to the new contractor-managed environment, ensuring a seamless migration of the IBM Cognos Analytics environment.

- Interface Management: Managing and maintaining all interfaces (system, user, data, and API) required for FEPMIS to function effectively, ensuring interoperability, security, and performance, with specific attention to interfaces used by IBM Cognos Analytics.

The Period of Performance will be for a period of twelve months with an anticipated start date of 1 July 2026 through 30 June 2027. There will be one twelve-month operation period with an anticipated overall end date of 30 June 2028. The estimated total value of this action is [redacted]

4. Identification of the exception to fair opportunity (see 16.507-6) and the supporting rationale, including a demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the exception cited.

The LESO established a support agreement with the U.S. Department of Agriculture (USDA) Forest Service (FS) for the use of FEPMIS. The USDA is terminating its support agreement (22-IA-11132543-015), DLA must have a new solution in place for the LESO-FEPMIS application by July 1, 2026. The LESO in coordination with J6 has identified ELMS as the long-term system solution to replace FEPMIS. The ELMS is not currently configured to meet LESO minimally viable requirements. Once requirements are met, ELMS must be tested by the LESO. Additionally an extensive training plan must be developed to encompass all user tiers from the Law Enforcement Agencies to the State Level, through the Program Office. The LESO program supports 6K LEAs across 48 states and 4 territories with property accountability totaling [redacted]. LESO Program participants are non-DoW entities without common access cards, given the extensive training requirements for both the LESO Program Office and our vast customer base there is no time to properly test and training an entirely new system by July 1, 2026. We are meeting this requirement through a sole-source contract.

In accordance with FAR 16.507-6(b)(2), the selection of the incumbent team, Accenture and their subcontractor Cherokee Federal, is essential due to the unique nature of the acquisition and the team's exclusive qualifications. The core of this requirement is the maintenance and migration of the Forest Service-owned, but contractor-operated, FEPMIS. This specific team composition is uniquely qualified for the following reasons:

- Government-Owned, Contractor-Operated System: The FEPMIS software is a unique asset owned by the U.S. Department of Agriculture (USDA). However, Cherokee Federal is the sole entity with the operational control, application architecture knowledge, and technical documentation necessary to modify, patch, and maintain the system. No other contractor possesses the essential expertise or the rights to access the FEPMIS code base, making Cherokee Federal an indispensable subcontractor for any technical work.

- Incumbent Expertise and Seamless Continuation: As the incumbent prime contractor, Accenture provides the high-level program management and established government relationships crucial for operational continuity. Their deep understanding of the program requirements ensures a seamless continuation of oversight, which is critical during a period of significant transition.

- High-Risk Migration: The DLA has mandated a complex and high-risk migration of the FEPMIS application to a new, secure hosting environment provided and managed by Cherokee Federal. The proven synergy between Accenture's program management and Cherokee Federal's hands-on software expertise is the single most critical factor in mitigating the risks of this transition. This established team is uniquely positioned to manage the intricate technical work—including data transfer, system reconfiguration, and security accreditation—while preventing data loss, extended downtime, and compromise to property records.

In summary, competition for this requirement is not feasible. While another prime could be chosen, they would be contractually and legally required to subcontract the core technical work to Cherokee Federal. This contract is a mission-critical stopgap to prevent the loss of the FEPMIS system until the new ELMS system is ready. A competitive procurement process would introduce unacceptable delays, risking a service interruption that would negatively impact your non-DoW customers and your staff who require training on the new system. The incumbent Accenture/Cherokee Federal team is already in place and performing the work under the USDA Contract. This effectively makes any competition illusory. Awarding the task order to the incumbent Accenture/Cherokee Federal team leverages the existing management structure and ensures the Government has direct access, through the prime, to the only subcontractor in existence capable of legally and technically supporting the proprietary FEPMIS system through its critical migration.

5. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The Contracting Officer will determine the anticipated cost to be fair and reasonable prior to award. The government will perform a thorough cost and technical analysis. The pricing will be compared to the Independent Government Cost Estimate (IGCE) and historical pricing for similar services to ensure a fair and reasonable price is achieved.

6. Any other facts supporting the justification.

FEPMIS is a critical system for national security and public safety, enabling the lawful transfer and accountability of billions of dollars in equipment to thousands of law enforcement agencies nationwide. Any disruption in service directly impacts the operational readiness of these agencies. Cherokee Federal has provided continuous, successful support for LESO FEPMIS since 2013, demonstrating a proven ability to maintain system stability and meet all government requirements without issue.

7. A statement of the actions, if any, the agency may take 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.

During the period of performance of this task order, the agency will take the following actions to promote competition in future acquisitions:

The agency is actively working to remove the barriers that necessitate this sole-source justification. The long-term strategy is to transition from the proprietary FEPMIS to a new, government-owned system, the Enterprise Logistics Management System (ELMS). However, this transition is dependent on significant technical and logistical developments that are not yet complete.

The primary barrier to competition is ELMS's current inability to support non-CAC (Common Access Card) entities. The LESO program is comprised almost entirely of state and local law enforcement agencies, whose personnel do not have CACs. As demonstrated by current FEPMIS data, this user base is substantial:

- The system supports 6,233 active state law enforcement agencies managing over [redacted] in accountable government property.
- This includes 7,101 active users at the station level and 106 state-level coordinators who would be unable to access the new system in its present state.

The ELMS development team is concurrently working to overcome the CAC-only limitation and address other system functionalities required to reach a Minimum Viable Product (MVP) for the LESO mission. Once the system is technically capable, the agency must undertake several critical actions before a full transition is possible:

1. Extensive Testing: The system must be rigorously tested with representative non-CAC users to ensure stability, security, and full functionality.

2. Development of a Roll-Out Plan: A comprehensive migration and training plan must be developed to transition over 9,800 federal and state agencies and their associated property books from FEPMIS to ELMS without loss of data integrity or accountability.

3. Phased Implementation: The plan must be carefully implemented to ensure all program participants are successfully onboarded and proficient with the new system.

Given the current technical limitations of ELMS and the significant effort required to migrate thousands of users and over [redacted] in assets, a full transition is not feasible before the USDA agreement end date of June 30, 2026 This action is therefore critical to ensure uninterrupted operational continuity until ELMS is fully capable of supporting all LESO program requirements.

At a minimum, market research will be performed to explore competitive opportunities if a subsequent acquisition is contemplated.

Technical Certification
Per FAR 16.507-6(d)(2)(ix), I hereby certify this justification.

[redacted]
Law Enforcement Support Office (LESO) Branch Chief
DLA Disposition Services

Contracting Officer Certification
Per FAR 16.507-6(d)(2)(viii), I hereby certify this justification.
DLA Contracting Services Office

[redacted]
Contracting Officer
DLA Contracting Services Office

Approval
Per FAR 16.507-6(e), I hereby approve this justification.

[redacted]
Competition Advocate
DLA Contracting Services Office