DEPARTMENT OF THE TREASURY
SF 1014 - JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY
ACQUISITION TITLE: *RAAS Certara Licenses & Support*

1. Identification of the requiring activity and the contracting activity:
The required activity is the Internal Revenue Service (IRS), Research, Applied Analytics and Statistics (RAAS) and the contracting activity is the IRS Office of the Chief Procurement Officer.

2.a Nature and/or description of the action being approved:
To obtain approval to award a Firm Fixed Price (FFP) contract via the NASA SEWP Government-Wide Acquisition Contract (GWAC) for the purchase of the licenses for Certara AI Production Instance-Air Gap (Comes with Certara AI Web & Cortex Apps) with Premium Support – licensed by the Certara AI (Layar) instances. The Period of Performance is July 1, 2026 through June 30, 2027 for a Base Year and two 12-month Option Years OY1: July 1, 2027 – June 30, 2028 / OY2: July 1, 2028 – June 30, 2029

2.b Name of the vendor. Government Acquisitions Inc (GAI)

2.c Requisition No.: 5000223301

2.d Bridge contract: ☐ Yes ☒ No | **2.e Brand name:** ☒ Yes ☐ No

3.a A description of the supplies or services required to meet the agency's needs:
The proposed acquisition is to acquire the following Certara brand name products:

-Four (4) Subscription licenses of Part #EL100- Subscription license for Certara AI Production Instance-Air Gap (Comes with Certara AI Web & Cortex Apps) with Premium Support – licensed by the Certara AI (Layar) instances

-1700 hours of Part #PSE100- IRS MBI cleared Certara Senior Development Resources. Certara Develop Services are delivered remotely and provide IRS, best practices, knowledge transfer and development guidance for Certara AI use.

- 210 Subscription licenses of Part #VYAS900- Subscription license for Certara Server Transmitter and user activity with Premium Support – licensed by the server using Transmitter.

3.b Includes IT: ☒ Yes ☐ No **PSC**: 7B21 **NAICS**: 541519

3.c IGCE/Estimated dollar value:
[redacted]

4.a Identification of the exception to fair opportunity being used:

☐ 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.

☒ **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.

☐ FAR 16.505(b)(2)(i)(C) – The order must be issued on a sole-source basis in the interest of economy and efficiency because it is 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.

☐ 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.

☐ FAR 16.505(a)(4) – The requirement is for an item peculiar to one manufacturer. (i.e., Brand Name specifications)

4.b Supporting rationale:

In Accordance with the One Big Beautiful Bill (OB3), the Federal Government has identified requirement as an opportunity to transition to full-time IRS employees. Consequently, this transition will take approximately 2 years. Furthermore, it is impractical to seek out additional contractors with specific capabilities, as the transition time to in-house employees is estimated at 2 years.

The OEM (Original Equipment Manufacturer), Certara, software is proprietary and holds the exclusive licensing for the software. Only one authorized reseller has permission to sell, Government Acquisitions, Inc. (GAI). Certara has a reseller relationship with GAI that enables the sub-contractor to fulfill an order in 24-48 hours; whereas with a direct order, it might take weeks/months. The OEM has also indicated that "[although we on occasion do direct contracts with government, it is not optimal from a delivery timing perspective because 99.9 of the time we work on commercial contracts and don't have the legal and financial team to rapidly support government contracting needs."

[redacted]

[redacted] Certara has enabled the development of specialized tools [redacted], which are tailored to IRS-specific needs. Other products do not have these pre-built, IRS-focused capabilities, making this brand unique and highly specialized to the needs of the Agency.

[redacted] Because the foundation of these applications utilizes the existing Certara AI software, decoupling would take considerable time

and would be highly labor intensive. [redacted]

[redacted]

[redacted]

Although other brands may offer similar capabilities as the Certara brand, those brands cannot offer the products and service at such a level of quality needed by the IRS within the requisite timeframe, especially when considering the Agency intends to take the requirement in-house in two (2) years. Another brand would require a significant amount of time to ramp up with minimal to no time of actual contract performance before the requirement transitions internally. Further, these applications and Certara brand will be the ground framework for which the in-house requirement is based off and IRS employees are trained on.

[redacted]

In conclusion, market research concludes that competition will be limited based on the fact that only one company is capable of providing the services required at the level of quality

required because the services are unique and highly specialized. Replacing Certara with another product would require the Government to deviate from and acquire three (3) new and separate types of licenses to include Certara AI, Certara Transmitter, and Certara Database Proxy. [redacted]

Attempting to modify or refactor another product to meet these requirements would be impractical, time-consuming, costly and potentially compromise the security and efficiency of IRS operations. Lastly, Certara software is a custom-built software, built to maintain and house the aforementioned suite of software critical to IRS infrastructure. Failure to acquire this license subscription/support to Certara will create a costly and inefficient position for the Government.

5. A determination that the anticipated cost to the Government will be fair and reasonable:

The Contracting Officer determines that the anticipated price(s) will be fair and reasonable based on a comparison of the proposed prices received in response to the NASA SEWP solicitation; a comparison of the solicitation proposed prices to the Independent Government Cost Estimate (IGCE); and comparison to historical award information. A Firm Fixed Price (FFP) award will be made to the Lowest Priced, Technically Acceptable (LPTA) offeror.

K. Additional considerations and findings:

The market research identified that small business authorized reseller, Government Acquisitions, can meet the requirement.

Results from research conducted via the GSA and NASA SEWP websites for potential small business vendors show that there are no GSA Schedule vendors that offer the required software licenses/services. On NASA SEWP, one small business vendor was identified that offers the required software licenses/services. The small business schedule holder identified is Government Acquisitions Inc.

Results from research conducted when the Original Equipment Manufacturer (OEM) Certara was contacted for information about potential small business resellers and other Government contractual vehicles demonstrates that per the OEM "there are no other Government contractual vehicles that offer their products/services. Certara has partnered exclusively with the incumbent contractor; therefore, they are the only authorized reseller of Certara products/services". The contract that Certara exclusively contracts with is *Government Acquisitions Inc.*

Results from research conducted via review of multiple databases; specifically, SAM.gov, FPDS, and CPARS to investigate alternative sources and procurement vehicles show that Government Acquisitions Inc. was the only authorized reseller of the Certara software.

Results from research conducted via review of the OPE Portal for Treasury Mandatory Sources or other existing contracts confirmed that there are no sources or contracts that provide the required products/services.

Results from research conducted via an Acquisition Gateway Review for Best-In-Class (BIC) solutions, including those that are mandated by OMB, show that the NASA SEWP GWAC is designated as a BIC and the required products/services. In addition, all components of the requirement were found on the site, and the only authorized reseller is a schedule holder on this platform.

Results from research conducted when reviewing Prior Acquisition History show prior awards for similar software license subscriptions and support services have evolved over the past five years with the ultimate goal of maintaining the work in-house. All of the NASA SEWP awards have been with the incumbent contractor with variations in the number of licenses and support services provided. [redacted]

6.b Attachments: ☒ Yes ☐ No

7. A statement of the actions, if any, the Requiring Activity and Contracting Activity may take to remove or overcome any barriers that led to the exception to fair opportunity before any subsequent acquisition for the supplies and services is made:
The Program Office and Contracting Officer will continue to conduct testing in the market for changes in products available from other companies and in the requirement, which might lead to evaluating and selection of multiple competitors for this requirement.

8. Certifications and Approvals:

8.a Program Office Certification (Requiring Activity). I hereby certify that any supporting information and data provided (e.g., the Government's minimum needs or requirements, or other rationale for the limited sources) and which form the basis for this justification for an