BRAND-NAME JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY AUTHORITY: FAR 16.505(a)(4)(i)

SOL 140D0426Q0481

1. Identification of the agency and the contracting activity, and specific identification of the document as a "Brand-Name Justification for an Exception to Fair Opportunity."

This document is a *Brand-Name Justification for an Exception to Fair Opportunity* for the Department of the Interior (DOI), Interior Business Center (IBC), Acquisition Services Directorate (AQD), on behalf of the U.S Access Board (USAB).

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

This action seeks to award a new Firm Fixed Price task order for the Original Equipment Manufacturer (OEM) Microsoft (MS) 365 software to support mission critical work currently operating at USAB.

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

This requirement is for the procurement of Microsoft Enterprise Licensing Subscription. Microsoft Enterprise Licensing includes the development and support, for the Microsoft Office 365 E5 Plan and Microsoft Azure currently utilized at the USAB. USAB operates MS 365 for information, communications collaboration services, office productivity and records management.

Covered items:
Base year and Option Periods 1 and 2:

ITEM	PART NUMBER	DESCRIPTION	MONTHS	QTY
BASE YEAR - 08/01/2026 - 07/31/2027				
1	AAA-28605	M365 E5 Original Sub Per User	12	40
2	JFX-00003	M365 F3 FUSL Sub Per user	12	30
3	TK2-00001	Teams Domestic Calling Plan Sub Per User	12	40
4	6QK-00001	Azure Monetary Commitment - NTE Funding Invoiced Mothly in Arrears	12	35

5	SPU-00002	Power Automate sub per users	12	5
6	N9U-00002	Visio P2 Sub Per User A047784	12	5
7	W6T-00003	Azure standard support	12	1
8	KXJ-00001**	Teams Shared Space Sub Per Device	12	2
9	6WT-00001	O365 Extra File Storage Sub Add-on Extra Storage 1 GB	12	1000
OPTION ITEMS				
1	n/a	M365 E7 Original Sub Per User	12	50
9	6WT-00001	O365 Extra File Storage Sub Add-on Extra Storage 1 GB	12	1500
1	AAA-28605	M365 E5 Original Sub Per User	12	50

The estimated value of this contract is [redacted]

The period of performance is one base year and two one-year options. The period of performance is:

Base: 08/01/2026 – 07/31/2027
OY1: 08/01/2027 – 07/31/2028
OY2: 08/01/2028 – 07/31/2029

4. Identification of the exception to fair opportunity (see FAR 16.505(a)(4)(i)) 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. If the contracting officer uses the logical follow-on exception, the rationale shall describe why the relationship between the initial order and the follow-on is logical (e.g., in terms of scope, period of performance, or value).

FAR 16.505(a)(4)(i) – The contracting officer must justify restricting consideration to an item peculiar to one manufacturer (e.g., a particular brand-name, product, or a feature of a product that is peculiar to one manufacturer).

USAB operates MS 365 for the 508 capabilities and uses it throughout the agency for e-mails, cloud base storage, productivity applications e.g. Outlook, Word, PowerPoint, Temas, and SharePoint. MS 365 provides extra security and compliance for standalone office applications. If the USAB moved to another platform, it would inhibit USAB's ability to execute core functions. For example, USAB staff would have to be retrained in the new platform.

5. A 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 will be fair and reasonable based on the expectation of competition in response to the solicitation, Independent Government Cost Estimate (IGCE), historical pricing information and availability of the published price lists.

6. Any other facts supporting the justification.

Not Applicable

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.

The USAB will continue to monitor the commercial marketplace for compatible subscriptions and when the need for new subscription arises, a competitive procurement will take place.

8. The contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.

I certify that this justification is accurate and complete to the best of my knowledge and belief.

ROBERT BREWER

Digitally signed by ROBERT BREWER
Date: 2026.06.05 08:31:54 -04'00'

Robert L. Brewer
Contracting Officer

9. Evidence that any supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government's minimum needs or requirements or other rationale for an exception to fair opportunity) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel.

I certify that the technical data which forms a basis for this justification is complete and accurate and meets the Government's minimum needs.

[redacted]

10. A written determination by the approving official that one of the circumstances in FAR 16.505 applies to the order.

The Contracting Officer has determined that the circumstances in FAR 16.505 applies to the order.