FY26-16

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION FOR COMMERCIAL SIMPLFIED ACQUISITIONS OVER THE SIMPLIFIED ACQUISITION THRESHOLD
RFO 12.102

1. **Identification of the agency and the contracting activity**:

Program Office: Department of Commerce
National Telecommunications and Information Administration
325 Broadway
Boulder, CO 80305

Contracting Activity: Department of Commerce
Shared Services Procurement Office
1401 Constitution Ave, NW
Washington, D.C. 20230

In accordance with the Revolutionary Federal Acquisition Regulation (FAR) Overhaul (RFO) 12.102 and in accordance with 41 U.S.C. 1901, the Office of Acquisition Management proposes to award a purchase order on the basis of other than full and open competition with The Mathworks, INC. for Matlab software, support, and updates on behalf of National Telecommunications and Information Administration (NTIA). The total estimated cost is [redacted].

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

On behalf of NTIA, the Contracting Activity plans to issue a Firm-Fixed-Price contract using other than full and open competition. There is only one responsible source that can provide the Matlab software, upgrade and support.

3. **A description of the supplies or services required to meet the Department's needs.**

NTIA has a requirement to continue use and service support for the product, MATLAB Software Maintenance and License Renewal, which the Government presently utilizes as its main analysis tool used for mathematical computation/simulation and other related programming and application development. Continued availability of MathWorks tools are essential to NTIA's ability to perform technical assessments, inform national spectrum policy, collaborate with federal and DoD partners, and support telecommunications innovation and research.

The requirement includes: the renewal of License Number 30262424

Toolboxes
5G Toolbox (5GSMS)
Aerospace Toolbox (ATSMS)
Antenna Toolbox (AASMS)
Audio Toolbox (AUSMS)
Communications Toolbox (CMSMS)
Computer Vision Toolbox (VPSMS)
Control System Toolbox (CTSMS)
Curve Fitting Toolbox (CFSMS)
Data Acquisition Toolbox (DASMS)
Database Toolbox (DBSMS)
Deep Learning Toolbox (NNSMS)
DSP System Toolbox (DSSMS)
Fixed-Point Designer (POSMS)
Global Optimization Toolbox (GDSMS)
Image Acquisition Toolbox (IASMS)
Image Processing Toolbox (IPSMS)
Instrument Control Toolbox (ICSMS)
Lidar Toolbox (LPSMS)
LTE Toolbox (LSSMS)
Mapping Toolbox (MGSMS)
MATlAB (MLSMS)
Matlab Compiler (COSMS)
Matlab Compiler Sdk (MJSMS)
Matlab Report Generator (MRSMS)
Online Training Suite (OTSSMS)
Optimization Toolbox (OPSMS)
Parallel Computing Toolbox (DMSMS)
Partial Differential Equation Toolbox (PDSMS)
Phased Array System Toolbox (ARSMS)
Radar Toolbox (RASMS)
RF Blockset (RBSMS)
RF Toolbox (RFSMS)
Satellite Communications Toolbox (SISMS)
Sensor Fusion And Tracking Toolbox (TFSMS)
Signal Processing Toolbox (SGSMS)
Simulink (SLSMS)
Statistics And Machine Learning Toolbox (STSMS)
Symbolic Math Toolbox (SMSMS)
Text Analytics Toolbox (TASMS)

Vehicle Network Toolbox (VNSMS)
Wavelet Toolbox (WASMS)
Wireless Testbench (WBSMS)
WLAN Toolbox (WLSMS)

4. **An identification of the statutory authority permitting other than full and open competition:**

   The statutory authority for this non-competitive action is 41 U.S.C. 1901, as implemented by the Federal Acquisition Regulation (FAR) RFO 12.102(b) and FAR 6.104 .

5. **A demonstration that the proposed contractor's unique qualifications or the nature of the action requires using the authority cited.**

   The MathWorks, Inc. is the sole manufacturer, publisher and owner of MathWorks software products and sole provider of any updates or technical support for the products that's needed for the analysis of the mathematical computation/simulation and other related programming application development.

   The features in the tool box are explicitly required by NTIA's Statement of Work and are essential for the programming platform for numerical computing, data analysis, and algorithm development and Simulink, which is used for engineering, data science, finance and research.

6. **A description of the efforts made to ensure that offers are solicited from as many potential sources as is possible, including whether a notice was or will be publicized as required by RFO Part 5 and, if not, which exception under RFO Part 5 applies.**

   Market research was conducted to identify sources capable of providing MATLAB software licenses, including mandatory software updates and technical support. A review through the Market Research Tool on NASA SEWP revealed thirteen (13) authorized resellers, of which nine (9) are small businesses, however, they were not contacted. Direct correspondence with the OEM (Mathworks) confirmed that those resellers are only authorized to facilitate the purchase and renewal process. The essential Software Maintenance Service, which includes all technical support and software updates, is provided exclusively by MathWorks. The government will publish its notice as required on SAM.gov.

7. **A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable. Note: dollar amounts may not exceed statutory limitations for simplified procedures identified in RFO 12.001.**

   The anticipated price of [redacted] determined to be fair and reasonable based on the vendors public price list which is offered to the commercial sector.

8. **A description of the market research conducted (per RFO Part 10) and the results or a statement of the reason market research was not conducted.**

Market research was conducted to identify sources capable of providing the required MATLAB software licenses, software updates and technical support. Although 13 authorized Mathworks resellers were identified, these resellers are only authorized to facilitate the purchase or renewal of MathWorks products; they cannot independently provide the complete package required of MatLab software licenses, mandatory software updates and technical support. These required updates and support are available as a package and not individually from MathWorks.

9. **Any other facts supporting the using other than full and open competition such as:**

The vendor provided a sole source letter confirming that The Mathworks, Inc. is the sole manufacturer, publisher and owner of MathWorks software products and the sole provider of any updates or technical support for these products in the United States and Canada.

10. **A listing of the sources, if any, that expressed an interest in the acquisition in writing.**

None.

11. **A statement of any 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.**

NTIA will continue to conduct market research prior to any subsequent acquisition to identify potential sources capable of meeting the Government's requirements. This may include reviewing vendor capabilities, issuing sources-sought notices or requests for information, and assessing whether any authorized resellers or alternative solutions can provide the required software licenses, updates, maintenance, and technical support. If additional capable sources are identified, NTIA will consider acquisition strategies that promote competition to the maximum extent practicable. At this time, no other actions have been identified that would remove or overcome the current barriers to competition, as the required software updates and technical support are available only from MathWorks.

(12) **<u>Program Official's and Contracting Officer's Certification that the justification is accurate and complete to the best of the Contracting Officer's knowledge and belief</u>:**

Based on the above information, it is determined to be in the Government's best interest to acquire MATLAB Software and services from The Mathworks, Inc. I certify this justification is accurate and complete to the best of my knowledge and belief.

MIKE CHANG Digitally signed by MIKE CHANG Date: 2026.08.01 15:31:02 -06'00'

Mike Chang
Program Official

Date

JACQUELINE BROWN Digitally signed by JACQUELINE BROWN Date: 2026.08.04 09:33:12 -04'00'

Jacqueline Brown
Contracting Officer

Date