J&A-26-0149

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11.[1]) and in accordance with the requirements of RFO 6.104, the justification for the use of the statutory authority under RFO 6.103 is justified by the following facts and rationale required under RFO 6.104-1 as follows:

1. Agency and Contracting Activity.

The Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Acquisition Management (OAQ), proposes to enter into a contract on behalf of DHS Cyber Crimes Center (C3), Cyber Crimes Unit (CCU), operated by Homeland Security Investigations (HSI) on a basis of other than full and open competition.

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

(a) Nature of action: DHS ICE intends to procure, on a brand-name basis, Cellebrite software, hardware, and training services to support ongoing forensic investigative operations.

(b) Name and address of the Manufacturer:

Cellebrite, Inc.
8065 Leesburg Pike
Suite T1-302
Vienna, VA 22182

(c) Contract Type: Indefinite Delivery / Indefinite Quantity (IDIQ) contract with Firm-Fixed Price Task Orders

(d) Estimated Total Value (including options).

CLIN	Description	Period of Performance	Total Price
0001	Ordering Period 1	September 16, 2026 – September 15, 2027	[redacted]
0002	Ordering Period 2	September 16, 2027 – September 15, 2028	[redacted]
0003	Ordering Period 3	September 16, 2028 – September 15, 2029	[redacted]
0004	Ordering Period 4	September 16, 2029 – September 15, 2030	[redacted]
0005	Ordering Period 5	September 16, 2030 – September 15, 2031	[redacted]
		Estimated Total	[redacted]

[1] FAR Class Deviation 25-11 is implemented as a result of Revolutionary FAR Overhaul, referred as RFO, following Executive Order 14275, ***Restoring Common Sense to Federal Procurement***. All citations in this document follow applicable DHS RFO Deviations therefore are referred as RFO.

(e) Type of funding: None. No funding is obligated under this IDIQ. Funding will be obligated at the subsequent task order level.

(f) Year of funding: None. No funding is obligated under this IDIQ. Funding will be obligated at the task order level.

(g) Solicitation Number – 70CMSD26R00000009

(h) Background information about the requirement:

[redacted]

3. Description of Supplies/Services.

The requirement is to procure digital forensic analysis and [redacted] and training services for forensic investigative purposes. [redacted] The manufacturer and its authorized resellers are the only ones that can provide these services.

4. Identification of statutory authority permitting other than full and open competition. The statutory authority permitting other than full and open competition is 41 U.S.C. §3304 as implemented by:

☒ RFO 6.103-1: Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Identification of Exception to the Buy American Statute

N/A

***6.* Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.**

[redacted]

After comprehensive market research and technical evaluation, it was determined that only Cellebrite's suite of products meets HSI's specific operational, technical, and legal requirements. [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

7. Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

A combined pre-solicitation and solicitation notice will be posted on SAM.gov in accordance with RFO Subpart 5.101.

8. Determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

Prior to award, the Contracting Officer will determine that the anticipated price(s) are fair and reasonable by utilizing the price analysis techniques described in RFO Subpart 15.404-1 (Class Deviation 2-08, R1). Furthermore, by allowing Cellebrite and its authorized resellers to compete, the Government anticipates receiving adequate price competition. This approach is intended to ensure that proposed pricing reflects current market conditions, provides the best value to the Government, and is ultimately deemed fair and reasonable.

9. Description of Market Research.

Since February 2025, Homeland Security Investigations (HSI) has conducted ongoing and comprehensive market research to identify digital forensic solutions capable of meeting its complex operational requirements [redacted]

The market research process included technical evaluations of industry-leading products such as [redacted]

To ensure the government receives the most advantageous pricing and maintains fair competition within the constraints of a brand name requirement, this procurement aims to establish a new Indefinite Delivery, Indefinite Quantity (IDIQ) contract to streamline ordering and ensure consistent access to Cellebrite solutions across HSI. Based on market research and award information performed within the last 18 months, the Government intends to solicit this requirement as other than full and open competition on SAM.gov, allowing Cellebrite and its authorized resellers to submit offers. There are no known Governmentwide Acquisition

Contracts, Strategic Sourcing Vehicles (SSV), or Federal Supply Schedules capable of providing the required products and services at a cost that is advantageous to the Government. By competing among authorized resellers, the Government anticipates receiving adequate price competition to ensure fair and reasonable pricing.

This strategy will maximize vendor participation, including both the OEM and authorized resellers, and ensure the best pricing and value for HSI use.

10. Any other facts supporting the use of other than full and open competition.

The identified solution's current footprint and widespread deployment within HSI ensures that personnel are already trained and operationally proficient, which minimizes retraining costs and reduces the risk of operational disruptions. Additionally, market conditions and the vendor landscape remain largely unchanged since the original market research was conducted. Both authorized resellers and the Original Equipment Manufacturer (OEM), Cellebrite, continue to offer the required products and services.

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

The following vendors responded to the RFI expressing interest in the requirement: [redacted]. Therefore, this follow-on requirement will be posted on Sam.gov, enabling Cellebrite and authorized resellers to submit bids for the procurement.

12. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services required.

HSI and OAQ will continue to conduct market research to identify emerging technologies, tools, or vendors that may provide equivalent capabilities for forensic investigations.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]