

**United States Department of Agriculture
Limited Source/Brand Name Justification
FAR 13.106-1(b)(1) – Simplified Acquisitions
Control No. (if applicable) _____**

1. Identification of the agency and the contracting activity.

Requesting Agency:

USDA, Food Safety and Inspection Services (FSIS)
Office of Policy and Program Development (OPPD)/Regulations Development Staff (RDS)
Patriots Plaza III, 9-269B
Washington, DC 20250-3783

Contracting Agency:

USDA, Food Safety and Inspection Services (FSIS)
Office of Administrative Services Division (ASD)/Procurement Management Branch
5601 Sunnyside Avenue
Beltsville, MD 20705

2. Description of supply or service required to meet the agency's needs.

This service requirement is to provide access to Westlaw, a database for legal research such as case law, state and federal statutes, administrative codes, and other administrative resources in the legal field.

3. The rationale or circumstances for limiting competition.

The Westlaw subscription sought is a proprietary service only available through Thoms Reuters. Westlaw is the only Computer Assisted Legal Research (CALR) able to fulfill the needs required by the Regulations Development Staff (RDS). Westlaw's database for case law is more extensive than its competitors and gives easy access to legislative histories and historical Code of Federal Regulations (CFRs) and the Federal Register. They also allow FSIS to customize a package of products, eliminating the need for costly, extraneous databases that we do not or rarely use.

FAR 13.501 (a) Sole source (including brand name) acquisitions.

4. A description of the market research conducted and the results or a statement of the reason market research was not conducted.

An informal market survey was conducted. A determination was made that Westlaw's competitors could not provide the extensive legal databases and documentation needed for RDS to perform its functions at the highest level of competence and with maximum efficiency. Competitors include Fastcase and LexisNexis.

Fastcase recently merged with two other CALRs, Casemaker and VersusLaw. Fastcase has unique search tools such as Authority Check, a citator-like service that locates other cases citing your authority

and provides the text surrounding the citation being checked, and Briefcase, a feature that allows the researcher to save documents for future use and store up to 18 recent queries. While their merge has extended their database significantly, it still does not have the extensive range for national laws and legal issues provided by Westlaw.

LexisNexis and Westlaw are the most well known CALRs. LexisNexis has many of the same features as Westlaw, but not the same content. LexisNexis' database is not as extensive in terms of case law and does not provide the needed legislative histories and historical Code of Federal Regulations (CFR) and the Federal Register.

Westlaw provides extensive research in case law, historical and current CFRs, the Federal Register, as well as trial court orders, statutes and court rules, regulations, administrative decisions and guidance, practical law, Secondary Sources, forms, briefs, trial court documents, expert materials, jury verdicts, settlements, proposed and enacted legislation, proposed and adopted regulations, and arbitration materials.

Westlaw's exclusive content includes:

- National Reporter System
- GAO Legislative History
- American Law Reports
- Full American Jurisprudence Library
- Corpus Juris Secundum (CJS)
- Government Contracts Newsletters
- Complete Restatements of the Law
- Wright & Miller Federal Practice and Procedure
- West Key Number System

Westlaw's exclusive features and services includes:

- Regulations with Editorial Enhancements
- PastStat Locator - With PastStat Locator, users can view prior versions of sections in USCA, as well as prior versions of statutes for select states. In all jurisdictions, PastStat Locator can rebuild the Table of Contents and show how it existed on a particular date. It can also identify when a statute or amendment has a future activation date, or when a statute or amendment is due to lapse.
- Graphical Statutes/Interactive Timeline - Graphical Statutes revolutionizes statute research by charting legislative changes and linking related documents in an easy-to-read display. From a single screen, researchers can easily track changes in the law, locate relevant legislative history materials, read important case law, and check for possible amendments. Graphical Statutes is available for USCA and the statutes for select states.
- Editorial Enhancements - For more than a century, West attorney-editors have been providing editorial enhancements to case law, statutes, and other legal materials, which includes providing the most exhaustive verification and correction process in the legal publishing and information industry. No other research service can match West's editorial experience.
- KeyCite Citator Service
- KeyCite Overruling Risk - Instantly know whether a case contains an implicitly invalidated statement of the law. Westlaw Edge is the only legal research solution that includes warnings on implicitly overruled or abrogated cases even where the case does not cite to overruled authority.
- WestSearch Plus - Find immediate answers to thousands of types of legal questions and dynamically filter your results to only the most relevant resources. Only WestSearch Plus has

sophisticated typeahead functionality that produces suggested questions across thousands of legal topics. Westlaw Edge is the only legal research solution that includes a legal search engine built upon editorial assets such as the West Key Number System, Westlaw Headnotes, Notes of Decisions and more to presents responsive text at the top of a result list rather than simply presenting a list with highlighted search terms.

- Statutes and Regulations Compare - Quickly understand how a statute or regulation has changed overtime to easily see he most recent changes and compare any two versions instantly. Statutes Compare provides coverage for all statutory content with versions. In addition, Regulations Compare provides coverage for federal regulations in 43 states plus District of Columbia. No other legal research solution provides this statute compare functionality where a statute has been amended more than once in a single year.
- Litigation Analytics - View detailed data-driven insights on judges, courts, attorneys, law firms, and case types across most practice areas to develop the best-case strategy possible. Superior granularity to filter results by 28 different motion types and even more subtypes, as well as our exclusive, customizable “search within” option to enter your own filter within a filter. Litigation Analytics on Westlaw Edge provides more docket coverage, both federal and state, than any other provider, for the most reliable and targeted insights.
- QuickCheck - Upload up to six documents and Quick Check will produce a report that includes recommendations for highly relevant authority that was not cited, a list of cited authority from within the document(s), and a side-by-side comparison between case quotes and the cited case language on Westlaw Edge.

Westlaw’s software requirements are compatible with FSIS systems; therefore, no additional system changes would be required.

5. Estimated price, including all options, if applicable.

	Period of Performance	Fixed Price
Base Year	June 1, 2023 – May 31, 2024	\$24,472.80
Option Year 1	June 1, 2024 – May 31, 2025	\$25,019.64
Option Year 2	June 1, 2025 – May 31, 2026	\$25,588.32
Option Year 3	June 1, 2026 – May 31, 2027	\$26,179.80
Option Year 4	June 1, 2027 – May 31, 2028	\$26,794.92
Total:		\$128,055.48

6. Recommended source(s).

West Publishing Corporation dba West, A Thomson Reuters Business

Certifications

Supporting data that is the responsibility of technical or requirements personnel and which form the basis for this justification are accurate and complete to the best of my knowledge.

Denise Underwood

Denise Underwood
OPPD/Program and Management Analyst

The information contained in this justification is accurate and complete to the best of my knowledge and belief and in accordance with Federal Acquisition Regulation 13.106-1(b)(1), I hereby determine the circumstances described above deem only one source, or limited sources, reasonably available and competition is precluded for the reasons indicated in this document.

Karen Petty

06/07/23

Karen Petty
Contracting Officer