



**DEPARTMENT OF DEFENSE**  
**WASHINGTON HEADQUARTERS SERVICES**  
1155 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1155



WHS-2023-526

**SOLE SOURCE JUSTIFICATION UNDER SIMPLIFIED PROCEDURES  
FOR CERTAIN COMMERCIAL ITEMS  
UNDER FEDERAL ACQUISITION REGULATION (FAR) 13.5**

1. **AGENCY AND CONTRACTING ACTIVITY:** The Department of Defense, Washington Headquarters Services (WHS), Acquisition Directorate Enterprise Acquisition & Sustainment Division (EASD) Analysis, Innovation & Oversight Branch (AIOB)
2. **DESCRIPTION OF ACTION:** Defense Acquisition University (DAU) request renewal of DecisionTools Suite full academic edition software licenses with Lumivero LLC [Formerly known as Palisade Corp]. A new commercial firm-fixed-price purchase order will be issue using O&M funds.
3. **DESCRIPTION OF SUPPLIES/SERVICES:**

Performance Periods	Item Description	QTY	Performance Period Dates	Amount
Base	Decision Tools Ind. Course License Subscription - 3 yrs - One-Time Payment	175	9/30/2023 - 9/29/2026	\$35,000
Base + All Options				\$35,000

**AUTHORITY CITED:** This action is under the procedures of under the procedures of Federal Acquisition Regulation (FAR) 13.5 under the authority of:

- ☒ 41 U.S.C. 1901, Simplified Acquisition Procedures  
☐ 41 U.S.C. 1903, Special Emergency Procurement Authority

4. **REASON FOR AUTHORITY CITED:** FAR 6.302-1 only one responsible source and no other supplies or services will satisfy agency requirements.

In October 2022, Lumivero was created as a strategic partnership among QSR International, Palisade and Addinsoft. Our agency has not received a final novation

agreement from the executing agency, GSA, which affects our current purchase order [REDACTED] option year two ending on 29 September 2023. The agency had to explore other options in order to satisfy DAU's need. [REDACTED]

[REDACTED] Therefore, the agency opted to move forward with a new purchase order.

Previous market research revealed that Lumivero software subscription and maintenance agreements are only available directly from Lumivero as reseller partners can only quote non-academic editions. The DecisionTools Suite is an integrated set of programs for risk analysis and decision making under uncertainty. DecisionTools Suite software integrates seamlessly with Microsoft Excel, and includes- Risk, A Monte Carlo Simulation, NeuralTools, PrecisionTree, Evolver for Optimatization, Top Rank for "what if" sensitivity analysis, StatTools, Project Management, and RiskOptimizer that is used to teach Business, Cost and Finance courses. Lumivero has proprietary rights to the software code for the software products and hardware maintenance support associated with this requirement and is the only known source that can provide this software subscription and maintenance support for an academic license. Unauthorized software providers do not have access to the proprietary data of the software to be able to provide troubleshooting, updates, fixes and patches, and upgrades. Failure to acquire this software maintenance and support for the DecisionTools subscription software support services would compromise the continuity of the DAU Business, Cost and Finance (BCF) courses that use this software to teach acquisition students.

5. **EFFORTS TO OBTAIN COMPETITION:** IAW FAR 13.501(a)(1) acquisitions conducted under simplified acquisition procedures are exempt from the requirements in part 6. However, sole source justification has to be publicized within 14 days after contract award pursuant to FAR 13.501(a)(1)(iii).
6. **FAIR AND REASONABLE COST DETERMINATION:** The Contracting Officer will determine price fair and reasonable by using the techniques identified at FAR 13.106-3(a). Certified Cost and Pricing Data is not required for commercial items.
7. **MARKET RESEARCH:** Market research was not conducted at this time due to the circumstances that led to contracting to proceed with a new purchase order. Because there is procurement history, the government has enough information available to make an informed decision for award. Therefore, FAR 10.001(a)(2)(iii) is not applicable to this situation.

**8. ANY OTHER FACTS SUPPORTING THE USE OF SOLE SOURCE:**

Procurement History

Contract number: [REDACTED]

Awardee: Palisade Corp.

Cage: 0LPT6

Total contract value (including options): \$78,750.00

- 9. INTERESTED SOURCES:** To date, no other sources have expressed an interest in writing. As stated in paragraph 5, sole source justification will be published in sam.gov.

- 10. ACTIONS TO INCREASE COMPETITION:** the government is committed to increase competition in the future. Therefore, it will conduct market research appropriate to the circumstances.

Is this acquisition for a non-competitive follow-on acquisition previously awarded on a non-competitive basis?

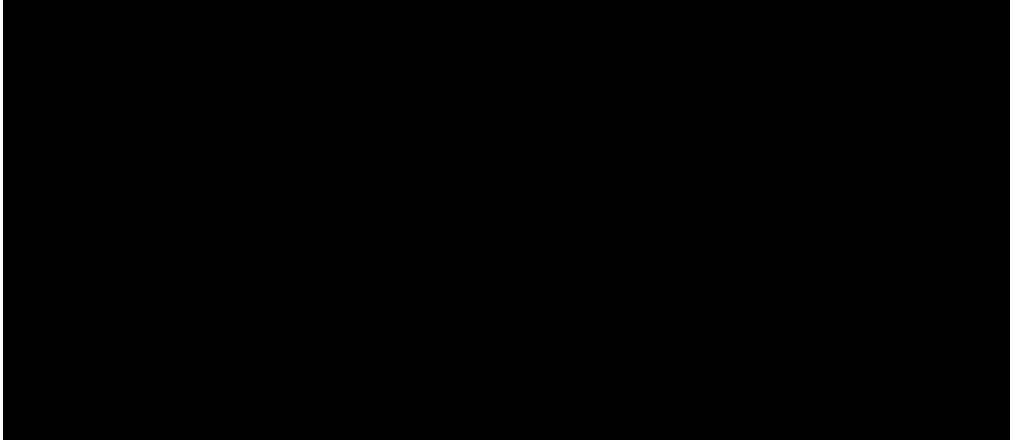
☒ Yes. A copy of the previous justification is attached. The actions to remove any barriers to competition cited on the previous justification ☐ were ☒ were not completed. The circumstancing that require a change of acquisition strategy did not provide enough time to address competition.

☐ No. The original acquisition was conducted on a competitive basis.

☐ Not Applicable. This is a new requirement.

**CERTIFICATION**

I, hereby, certify that the supporting data under my cognizance included in this justification are accurate and complete to the best of my knowledge and belief.



Contracting Officer

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Date

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Date