
JUSTIFICATION For Sole Source (Including Brand-Name)

“Source Selection Information – See FAR 2.101 and 3.104”

1. Identification of the agency and contracting activity:

a. Federal Agency and Contracting Activity: Pension Benefit Guaranty Corporation (“PBGC”), Procurement Department (“PD”).

b. Sponsoring Organization: Office of the Inspector General (OIG)

2. Nature and/or description of the action being approved: This justification (“J&A”) for a brand-name procurement utilizing simplified acquisition procedures pursuant to FAR 13.106-1(b) supports the solicitation for brand-name Palo Alto Networks software subscriptions.

3. A description of the supplies or services required to meet the agency’s needs (including the estimated value: The Pension Benefit Guaranty Corporation (PBGC) Office of Inspector General (OIG) maintains its own secure network that includes two (2) PA-3020 firewalls manufactured by Palo Alto. Palo Alto, consequently, is the only original requirement manufacturer (OEM) that provides support and subscription for these firewalls. The subscriptions offered by Palo Alto provide for support and additional security enhancements on a per device basis. OIG requires software subscription for Premium Support, Wildfire, Threat Protection, and URL filtering.

Specifically, Palo Alto Premium Support, through an authorized reseller, provides for normal business hour regular support and 24/7 support in instances in which the firewall is down. Premium support also provides for next-day replacements that are not available at the lower level of support. Threat Protection provides vulnerability and exploit protection, malware protection, and command and control protection. Wildfire provides cloud-based threat analysis. URL filtering subscription allows for filtering based on traffic levels.

The required software subscriptions and estimated quantities are as follows. PBGC anticipates awarding a purchase order for a total performance period of one (1) twelve-month period.

Part Number	Quantity
PAN-PA-3020-TP-HA2-R	1
PAN-SVC-BKLN-3020-R	1
PAN-PA-3020-TP-HA2-R	1
PAN-PA-3020-WF-HA2-R	1
PAN-PA-3020-ADVURL-HA2-R	1
PAN-PA-3020-WF-HA2-R	1
PAN-SVC-BKLN-3020-R	1
PAN-PA-3020-ADVURL-HA2-R	1

4. Identification of the statutory authority permitting other than full and open competition: FAR 13.106-1(b)(1) – (1) For purchases not exceeding the simplified acquisition threshold.

(i) Contracting officers may solicit from one source if the contracting officer determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name, or industrial mobilization).

5. Demonstration that the proposed contractor’s unique qualifications or the nature of the acquisition requires use of the authority cited: The PBGC OIG currently maintains its own secure network that includes two (2) PA-3020 firewalls manufactured by Palo Alto and previously procured via a separate

contract. The two (2) PA-3020 firewalls require subscriptions for premium support, threat prevention, wildfire, and URL filtering. Since the PA-3020 firewalls are Palo Alto proprietary firewalls, only authorized resellers of the Original Equipment Manufacturer (OEM) – Palo Alto – can provide the required subscriptions due to patent rights, copyright, and proprietary processes.

Furthermore, please note that this procurement is only for maintenance and support for existing equipment and licenses and is not a technology refresh or purchase of additional hardware.

Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by subpart 5.2, and, if not, which exception under 5.202 applies. In accordance with FAR 5.101(a)(2), the solicitation and this J&A will be posted in a public place since the independent government cost estimate is [REDACTED]

6. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable. The Contracting Officer will determine that prices are fair and reasonable based on competitive quotations. In the event only one (1) quotation is received, price reasonableness may be based on market research, a comparison of the quoted price with prices found reasonable on previous purchases, current price lists, comparison to the independent Government cost estimate, and/or a comparison with similar items in a related industry.

7. A description of the market research conducted (see part 10) and the results or a statement of the reason market research was not conducted. Exhaustive market research was conducted in accordance with FAR Part 10 for this recompetete procurement to identify small business concerns capable of providing the required brand-name Palo Alto subscription services. The market research was conducted in February 2022 and March 2022.

8. Any other facts supporting the use of brand name. N/A.

9. A listing of the sources, if any, that expressed, in writing, an interest in the acquisition. None.

10. A statement of the 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. PBGC anticipates a new recompetete procurement within the next year to procure software subscription and support for a total of one (1) twelve-month base period and four (4) twelve-month option periods.

Certification

Program Office:

I certify that the facts and representations under my cognizance, which are included in this justification and which form a basis for this justification, are complete and accurate.

Signature & Date

Contracting Officer:

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

[Redacted]

[Redacted]

[Handwritten signature]

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[Redacted]

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Signature & Date