

Justification for Exception to Fair Opportunity
Exceeding the SAT pursuant to FAR 16.507-6(d)(2) (FAR Class Deviation 26-04)

JEFO Number: FY26-70

PR Number: [REDACTED]

Justification for an Exception to Fair Opportunity

1. Agency and Contracting Activity.

The Department of Homeland Security, U.S. Secret Service (USSS), Office of Procurement, proposes to modify an existing task order on behalf of the Office of the Chief Information Officer (OCIO) pursuant to Federal Acquisition Regulation (FAR) 16.507-6 (FAR Class Deviation 26-04), Exceptions to Fair Opportunity.

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

The USSS intends to award an extension to the period of performance of task order 75N98118D00012/70US0921F3OTH0138, titled Enterprise Cybersecurity Services (ECS), to ensure continuity of critical IT support services, while a competitive re-compete is completed. The contractor currently providing the required services; Favor TechConsulting, LLC (FavorTech), UEI: R4WTAS3E7BA4, located at 3100 Clarendon Boulevard, Suite 1400, Arlington, Virginia, 22201-5333, has satisfactorily performed and is the only vendor with capabilities in place to ensure continuity of critical support without any break in service at this time.

3. Description of Supplies/Services required to meet the agency's needs.

The ECS task order provides critical network operations and support services to provide a full range of Information Technology (IT) Security Services and applications/products for the USSS. Support service areas include, but is not limited to: Program Management and Business Process Reengineering; Application Development; Security Compliance Services; Security Assessment and Authorization (A&A); Security Testing, and; Identity, Credential and Access Management (ICAM). These services are critical to maintaining the health and security of the USSS enterprise network, as well as supporting USSS in meeting Federal compliance in IT Security and Configuration Management.

The period of performance for the proposed extension consists of a two (2) six (6) month option periods (08/21/2026 to 02/20/2027, and 02/21/2027 to 8/20/2027). The estimated total dollar value of this action is [REDACTED]

4. Statutory exception and supporting rationale, including a demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the exception cited.

The applicable statutory FAR citation and basis for using an exception to fair opportunity process is:

- ☒ FAR 16.507-6(b)(2) (FAR Class Deviation 26-04). Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized.

Rationale:

Currently, FavorTech performs the required services under the ECS task order (75N98118D00012/70US0921F3OTH0138) until 8/20/2026. These services directly impact the condition of the agency's enterprise network infrastructure and the security posture of this infrastructure, which is critical to the mission of the USSS and the network's overall cybersecurity strength. Without a strong security posture, the agency is at higher risk to a variety of outside threats. As a result, the agency must ensure hardware and software are managed through effective policies, procedures and controls and support services. The required services are vital to ensuring the agency's cybersecurity posture does not decline and thus make the agency vulnerable to insider and outsider threats.

A competitive recompetes which will procure these important required services is currently in-process with a planned award in the second quarter of the Fiscal Year 2027. For more information see Section 7 of this document.

This justification supports the agency's requirement to continue enterprise cybersecurity support commencing on 08/21/2026. Market research that was conducted for the competitive re-compete indicates that there are contractors capable of performing the required services on multiple DHS Strategic Sourcing Vehicle (SSV) contracts. However, based on the research conducted for this task order, it has been concluded that only FavorTech has the specific skills, knowledge and experience needed to provide the required specialized services at the level of quality required at this time.

The nature of the requirement is complex and there is a significant learning curve associated with commencing to support the requirement. The time between a potential competitive short-term award action and the need date for services would not allow sufficient time for recruiting, hiring, background checks and entry-on-duty, and most importantly, a transition period with knowledge transfer. The inability to conduct a proper in-depth transition will result in failure to deliver on key USSS priorities. FavorTech is currently providing the required staffing and level of quality

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with all necessary personnel in place as well as extensive program knowledge to continue operations to complete the projected tasks and to transition ongoing activities to the new competitive awardee.

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

The Contracting Officer anticipates the proposed price for this extension will be consistent with the current National Institutes of Health (NIH) Information Technology Acquisition and Assessment Center (NITAAC) Chief Information Officer-Solutions and Partners 3 Small Business (CIO SP3 SB) contract held by FavorTech and will be consistent with prices already paid on this order. In addition, historical pricing information is available for all services to be provided, which are the basis for the Independent Government Cost Estimate. Pricing will be evaluated for reasonableness in accordance with one or more analysis techniques identified in FAR Subpart 15.4. The Contracting Officer may request other than certified cost or pricing data if determined to be necessary in the assessment of fair and reasonable pricing. Prior to effecting the change order, the contracting officer will be able to determine that extending the current task order represents the best value and that the proposed price is fair and reasonable for award.

6. Any other facts supporting the justification.

As briefly discussed in Section 4, the succeeding competitive procurement was expected to be in place prior to the expiration of the current task order 70US0921F3OTH0138, but this competitive procurement experienced multiple delays due to various unforeseen circumstances, to include two government shutdowns caused by lapse in appropriations; from 10/1/2025 to 11/12/2025 and from 2/14/2026 to 4/30/2026, and a last minute forced change in acquisition strategy due to the unexpected sunseting of the Indefinite Delivery – Indefinite Quantity (IDIQ) vehicle initially chosen for the re-compete. The Agency was planning to transition the work from the current task order contractor to the contractor awarded the re-compete task order, also titled Enterprise Cybersecurity Services, however, the current task order 70US0921F3OTH0138 ends on 8/20/2026 and it is necessary to proceed with the short-term task order with FavorTech to continue these mission critical services while the competitive award is completed and to allow for an orderly transition of these services to the awardee of the ECS procurement.

7. A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the exception to fair opportunity before any subsequent acquisition for the supplies or services is made.

Any barriers to competition will be removed upon finalization of the source selection and a transition to a new awardee(s). No other competitive barriers are known at this time, which

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would lead to a future fair opportunity exception. This sole source task order extension is only intended to continue the current services until the award and transition-in of the in-process competitive procurement is completed.

9. Technical/Requirements Personnel Certification.

Pursuant to FAR 16.507-6(d)(2)(ix) (FAR Class Deviation 26-04), I certify that this requirement meets the Government's minimum need and that the supporting data, which form a basis for the justification, are accurate and complete.

[Redacted Signature]

Contracting Officer's Representative

10. Contracting Officer Certification

Pursuant to FAR 16.507-6(d)(2)(viii) (FAR Class Deviation 26-04), I certify that this justification is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

Contracting Officer

APPROVAL: Pursuant to FAR 16.507-6(d)(2)(x) (FAR Class Deviation 26-04), I hereby determine the circumstance identified in Section 4 applies to the order.

**SALVATORE.SARAC
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SALVATORE.SARACENO
Date: 2026.08.09 08:15:18 -04'00'

Salvatore Saraceno
USSS, Office of Procurement
Head of Contracting Activity

Date