

**Justification for Other than Full and Open Competition
United States Department of the Treasury, Bureau of the Fiscal Service**

AUTHORITY CITED: 41 U.S.C. 3304(a)(5) and FAR 6.302-5(a)(2)(i)

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by FAR 6.3 and in accordance with the requirements by FAR 6.303-1(b), this justification for the use of the statutory authority under FAR 6.3 is justified by the following facts and rationale required under FAR 6.303-2(d) as follows:

1. Identification of the agency and the contracting activity.

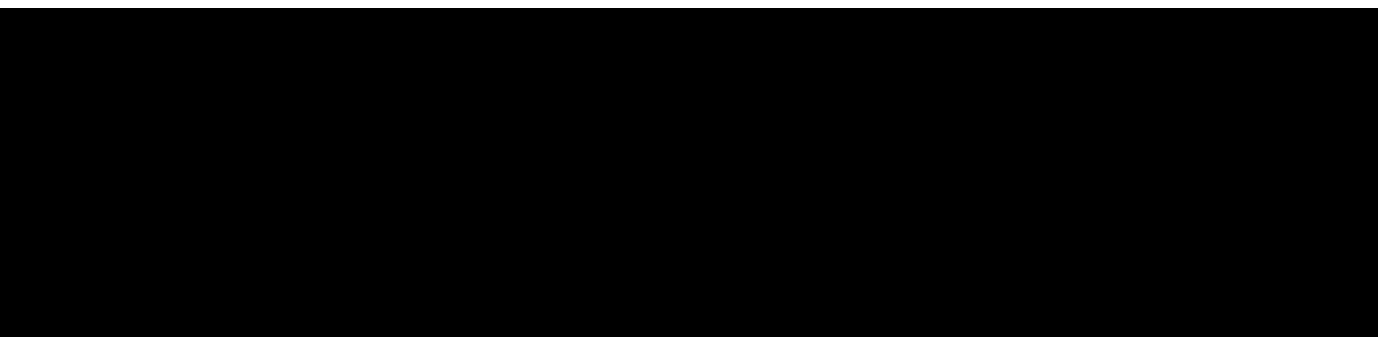
Requesting Agency: The United States Department of the Treasury
Bureau of the Fiscal Service
Parkersburg, West Virginia 26101

Contracting Activity: The United States Department of the Treasury
Bureau of the Fiscal Service
Administrative Resource Center
Parkersburg, West Virginia 26101

2. A description of the needs of the agency concerned for the matters covered by the contract (FAR 6.303-2(d)(1)).

Fiscal Service's Office of Disbursing and Debt Management (DDM), which is located in Birmingham, Alabama, has a requirement for ongoing operations and maintenance (O&M), support, potential future development, and professional services tied to its Cross-Servicing debt collection application¹. Cross-Servicing is used by DDM to fulfill its Congressionally mandated duties under the Debt Collection Improvement Act of 1996. Cross-Servicing runs on Finvi (formerly Ontario Systems) Artiva software, which is made up of Artiva RM, Contact Savvy, Ontario Reports, Ontario Omni, and Link. Program office requirements include software licenses and license renewals (including maintenance & support), system operations and maintenance support, product enhancements, customization services, and integration with existing Fiscal Service IT infrastructure. Professional services to be provided by the contractor include end-user training, business analyst support, knowledge transfer, potential movement of Cross-Servicing into the cloud, and related services.

Previous awards for this requirement include 2033H618C00007, which was issued to SJ Technologies for operations & maintenance support; 2033H618P00056, which was issued to SJ Technologies for building an interface with the Interactive Voice Response (IVR) system; 2033H618D00004, which was issued to SJ Technologies for CSNG post-implementation support services; 2033H620D00003, which was issued to SJ Technologies for CSNG Phase V; and current award 2033H620D00006, which was issued to SJ Technologies for CSNG Phase VI operations & maintenance support, expansion services, and related professional services.



¹ Cross-Servicing was previously referred to as Cross Servicing Next Generation (CSNG) and is sometimes shortened to "CS." Procurement documentation for the current requirement will utilize its Federal Information Security Modernization Act (FISMA) name, "Cross-Servicing."

3. A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract ((FAR 6.303-3(d)(2)).

The statutory provisions providing the exception from the requirement to use competitive procedures are FAR 6.302-5(a)(2)) and FAR 19.805-1(b)(2).

4. A determination that the use of a sole-source contract is in the best interest of the agency concerned ((FAR 6.303-2(d)(3)).

Acquisition Gateway was reviewed using PSC DA01; no sources were found. Treasury mandatory sources, Treasury Wide Contracts, the SPE-Designated Treasury Mandatory Sources list, UNICOR, AbilityOne, and SmartBUY were reviewed; no sources were found. GSA Advantage was reviewed; no sources were found. NASA SEWP was reviewed; one potential reseller was found, that being Government Acquisitions, Incorporated, a small business.

The current award is in the United States Small Business Administration's 8(a) Business Development Program. The incumbent, SJ Technologies, graduated from the 8(a) Program on June 5, 2022; therefore, the incumbent is no longer eligible for awards under the Program and a new 8(a) contractor must be found.

Market research was conducted to identify another 8(a) which could fulfill the requirement. In July 2023 procurement was informed that Finvi and Seneca Technologies, LLC (Seneca Technologies), an Indian Tribe-owned 8(a) company, had started discussions on a partnership. December 12, 2023, the Contracting Officer received official notification from Finvi that Seneca Technologies is a Finvi-authorized reseller of Artiva software, Support, and Professional Service to the Federal Government, and Seneca Technologies is the only 8(a) company authorized by Finvi to provide Artiva software, support, and services to the Federal Government. Seneca representative Roger Foote confirms that Seneca Technologies can provide the ongoing operations and maintenance (O&M), support, potential future development, and professional services tied to its Cross-Servicing application required by the program office by partnering with Finvi. Seneca Technologies is an 8(a) program participant, an Indian tribe-owned small business, and a Small Disadvantaged Business (SDB).

Given the results of market research, the issuance of a direct award over \$25 million to Seneca Technologies under the auspices of the SBA's 8(a) Business Development Program is in the best interest of Fiscal Service for the following reasons:

- A. It will assist Fiscal Service's efforts to meet the Administration's goal of equity in Federal contracting,
- B. It will boost Fiscal Service's efforts to meet its socioeconomic contracting goals,
- C. Per OMB memo M-22-03, it will allow Fiscal Service to receive Spend Under Management (SUM) credit for utilizing a Small Disadvantaged Business (SDB) which is also an 8(a) and which is owned by an Indian tribe, and
- D. Since proposed vendor Seneca Technologies does not currently hold any Treasury contracts or any other Government contracts, contracting with Seneca Technologies will assist Fiscal Service's efforts to meet one of OMB's goals under memo M-22-03: bringing new entrants into Treasury's portfolio of small business suppliers and the Government's portfolio of small business suppliers.

5. A determination that the anticipated cost of the contract will be fair and reasonable ((FAR 6.303-2(d)(4)).

The Contracting Officer has determined that the anticipated cost to the Government will be fair and reasonable based upon previous acquisition history for Finvi/Ontario Systems Artiva operations & maintenance services and related additional software development services. The Contracting Officer will utilize the Independent Government Cost Estimate (IGCE) to determine fairness and reasonableness of price, and the Contracting Officer will engage in negotiations as needed to ensure fairness and reasonableness of price.