

**JUSTIFICATION & APPROVAL FOR FEDERAL ACQUISITION REGULATION
SUBPART 16.5 ACQUISITIONS
EXCEPTION TO FAIR OPPORTUNITY**

Multiple Award Contract
Orders under Fair Opportunity
Federal Acquisition Regulation (FAR) 16.505, Defense FAR Supplement 216.505-70,
Procedures, Guidance, and Information 216.505-70

Military Interdepartmental Purchase Request Number: 12128620
Joint Warfighting Cloud Capability (JWCC) Contract Number: HC105023D0003
Task Order Number: To Be Determined
Procurement Title: United States Africa Command (USAFRICOM) Cloud Computing
Estimated Value: [REDACTED]
Statutory and Regulatory Authority: 10 United States Code (U.S.C.) 2304c(b) and FAR
16.505(b)(2)(i)(B)

EXCEPTION TO FAIR OPPORTUNITY

Number: JA24-149

Upon the basis of the following justification, I, as the Procuring Activity Competition Advocate (PACA), hereby approve this exception to fair opportunity pursuant to the Statutory Authority of 10 U.S.C. 2304c(b) and Regulatory Authority of FAR 16.505(b)(2)(i)(B).

1. REQUESTING AGENCY AND CONTRACTING OFFICE:

Requesting Agency:
USAFRICOM

[REDACTED]

Contracting Activity:
Defense Information Systems Agency/Defense Information Technology Contracting

[REDACTED]

2. NATURE/DESCRIPTION OF ACTION(S):

This action is to issue a firm-fixed-price task order (TO) against the JWCC Indefinite Delivery/Indefinite Quantity Contract for USAFRICOM Cloud Computing. This TO will be issued directly to Microsoft Corporation. The anticipated period of performance (PoP) is for a 1-year base period, plus three 1-year option periods. The total estimated value is [REDACTED] of which will be funded by Operations & Maintenance funds.

Controlled By: DISA
Controlled By: PS8511
CUI Category: PROCURE
Distribution/Dissemination Control: FEDCON
POC: disa.scott.ditco.mbx.ditco-jwcc@mail.mil

3. DESCRIPTION OF SUPPLIES/SERVICES:

USAFRICOM requires the following cloud services:

1. Integrated Cloud Environments
2. Advanced Data Management and Analytics
3. Automation and DevSecOps
4. Artificial Intelligence (AI) and Machine Learning (ML) Capabilities
5. Performance Monitoring and Optimization
6. Support and Coordination

USAFRICOM requires these services to achieve enhanced efficiency, security, and resilience in its information technology (IT) infrastructure, supporting its mission objectives effectively.

4. SUPPORTING RATIONALE, INCLUDING A DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF AN EXCEPTION TO FAIR OPPORTUNITY:

(a) Exception to Fair Opportunity.

FAR 16.505(b)(2)(i)(B) - 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.

(b) Description of the Justification.

The USAFRICOM operates in a dynamic and evolving environment where IT plays a critical role in achieving mission objectives. To ensure operational effectiveness and security in cloud computing environments, USAFRICOM must continue under Microsoft Impact Level 2 (IL2) and IL4 infrastructure and to expand to include IL5 and IL6, to continue its vital mission in support of our African Mission Partners, USAFRICOM joint exercises, and to expand capabilities to higher classifications without significant delays. This initiative is driven by the USAFRICOM Chief of Staff and J6 Principle Director to deploy IL5 and IL6 cloud Mission Landing Zones with Disaster Recovery (DR) and Continuity of Operations (COOP) capabilities by January 2025 to support growing mission requirements and to modernize our IT posture. Moreover, USAFRICOM has an annual Premier support service agreement with Microsoft and the proficiency of the technical staff is in Microsoft and Office 365 PowerApps products. Lastly, there is already an existing environment in Microsoft and the Cloud Service Provider (CSP) is immediately able to integrate seamlessly, without any associated transition to the Government.

The USAFRICOM J6 Hybrid Cloud Vision and Acquisition strategy consists of three phases aimed at building a secure, scalable, and resilient cloud environment. Phase I focuses on establishing IL5/IL6 landing zones, storage, DR, COOP, and DevSecOps, converting four applications to cloud-native, and ensuring data protection and operational

continuity. Phase II involves expanding cloud-native services by developing a Data Lakehouse mesh, implementing extract, transform and load pipelines, ML models, Identity, Credential, and Access Management (ICAM) strategy, Azure Virtual Desktop, and ensuring DR and COOP across the enterprise. Phase III transitions from initial operational capability to full operational capability with integration of edge processing devices, full implementation of AI/ML, and achieve true resiliency with hybrid cloud environments across three continents. Last, Phase IV will complete the cloud transition journey with full integration of JADC2, data science, and advanced data fabrics. All phases combined are estimated to take three plus years to complete.

Unique Operational Requirements:

1. Security Enhancement: As a military command operating in diverse and potentially hostile environments, security is paramount for USAFRICOM. Extending existing Microsoft cloud services from IL2 and IL4 to include IL5 and IL6 ensures a rapid and seamless deployment while maintaining the same cloud configuration as the current environment and integrated DevSecOps capabilities. This approach streamlines operations and simplifies management by leveraging a single CSP, enhancing consistency and efficiency by preventing the need to manage two different environments across all security levels.
2. DevSecOps Integration: The adoption of DevSecOps principles is crucial for accelerating software development cycles while maintaining robust security measures. USAFRICOM's transition to IL5 and IL6 environments within Microsoft will leverage and expand existing Microsoft DevSecOps Continuous Improvement/Continuous Delivery (CI/CD) pipelines, allowing for continuous monitoring, testing, and deployment of mission-critical applications. This approach enhances agility, responsiveness, and resilience in addressing evolving operational requirements. Additionally, the current IL2 environment will be enhanced to include a dedicated Enterprise DevSecOps full stack environment.
3. Hybrid Cloud Capabilities: USAFRICOM operates in a distributed landscape where data and applications need to be seamlessly accessible across various environments, including on-premises infrastructure, public cloud, and tactical edge locations. Extending Microsoft services to IL5 and IL6 enables USAFRICOM to establish a cohesive hybrid cloud architecture, facilitating seamless data exchange and workload migration while preserving security and compliance standards.

(c) Justification.

(1) Minimum Government requirements.

USAFRICOM must continue under Microsoft IL2 and IL4 infrastructure and expand to encompass IL5 and IL6. Additionally, USAFRICOM will augment the existing IL2 environment to include full stack DevSecOps to execute the mission objectives efficiently and securely in the dynamic and challenging operational environments across the African continent. The use of the existing cloud environments, from IL2/IL4/IL5 and

IL6 will support ongoing modernization efforts, enhance COOP and DR capabilities, and facilitate near-future edge computing node deployments.

- **Seamless Integration with Existing Infrastructure:** Cloud services must integrate seamlessly with USAFRICOM's current IL2 and IL4 cloud environments, on-premises data centers, and network infrastructures to ensure continuity and operational efficiency.
- **Advanced AI/ML Capabilities:** The ability to support advanced AI/ML workloads is crucial. This includes services for search, natural language processing, ML, and unified analytics for data processing.
- **Robust Security and Compliance:** Adherence to stringent cybersecurity measures and compliance with Department of Defense (DoD) standards, including the implementation of zero trust architectures and secure access management through ICAM federation.
- **Data Resilience and Redundancy:** Implementation of robust cloud redundancy and failover mechanisms to enhance data resilience and ensure operational continuity.
- **DevSecOps Integration:** Comprehensive DevSecOps cloud native capabilities and integrations must be available to facilitate continuous development, deployment, and security management. This includes CI/CD pipelines for efficient software delivery and management.
- **Edge Compute Compatibility:** Compatibility with edge compute nodes and tactical edge devices to support localized processing and data ingress/egress is essential.
- **Performance Monitoring and Metrics:** Detailed performance metrics dashboards to monitor data transfer efficiency, system reliability, security compliance, DR effectiveness, and cost optimization.
- **Cloud-Native Services:** Utilization of cloud-native services for computing, storage, and networking to optimize operational efficiency and scalability.
- **Multi-Cloud Interoperability:** Solutions must support interoperability across different cloud environments, ensuring seamless data and application integration.

USAFRICOM requires the delivery of DevSecOps, IL5 and IL6 cloud computing environments immediately upon task order award. This timeline aligns with ongoing modernization efforts and strategic initiatives aimed at enhancing operational capabilities in dynamic operational theaters. Timely deployment is essential to maintain mission readiness and effectively address emerging threats and challenges.

The Government's minimum requirement hinges on the need for seamless integration with

existing cloud infrastructures, adherence to consistent security protocols across the cloud environments, and the criticality of timely delivery to meet operational timelines.

(2) Proposed sole source contractor. Microsoft Corporation.

(3) Discussion regarding the cause of the sole source situation.

The only source capable of performing the USAFRICOM Cloud Computing at the level and quality required is Microsoft based on the compatibility of Azure AI with the current cloud infrastructure that is peculiar to Microsoft. Utilizing Microsoft's AI services are crucial for USAFRICOM's future data lake and data mesh architecture. Leveraging Microsoft's AI capabilities ensures enhanced efficiency, accuracy, and scalability, aligning with USAFRICOM's mission objectives effectively. No other CSP can meet the Government's need because their environments cannot provide natively integrated solutions, which allow for data to be shared seamlessly between all applications and provide advanced data analysis within USAFRICOM's future data lake and data mesh architecture. Other CSP's cannot meet the Government requirement due to their AI services not being integrated with the current environment which will necessitate additional resources for integration and management. Source:

<https://www.gartner.com/reviews/market/cloud-ai-developer-services/compare/amazon-web-services-vs-microsoft> (Microsoft AI suite of services excels in areas that matters most to USAFRICOM: ADR, Automation and Model building, Chatbot, and Ease of Integration).

USAFRICOM has a Premier Support Service agreement with Microsoft through a separate contract, that provides access to dedicated on-site Microsoft Professional Services. This agreement has ensured rapid response to USAFRICOM's needs, including troubleshooting, optimization, and strategic guidance in deploying and managing cloud services. Leveraging this support structure enhances USAFRICOM's operational efficiency and minimizes downtime, thereby maximizing mission readiness. If another CSP was utilized, it would require another agreement with the new CSP, which would result in increased costs and added complexity.

USAFRICOM's technical staff possesses extensive experience and expertise in Microsoft and Power Platform products and technologies. Expanding existing Microsoft cloud services aligns with the existing skill sets of the workforce, facilitating a smooth migration process and minimizing disruptions to ongoing operations. Furthermore, the familiarity with Microsoft tools and platforms enables USAFRICOM to leverage advanced features effectively, specifically security features that are unique to USAFRICOM, optimize resource utilization, and innovate in cloud-based solutions tailored to mission requirements.

Refactoring the current environment from the Microsoft environment to another CSP would result in unacceptable delays. Migration from one platform to another platform would delay the project up to 12 months, due to the amount of time it takes to hire skilled personnel and onboard them overseas, to architect and engineer an entire new cloud

infrastructure, and to perform full implementation with integration into existing infrastructures. In addition, there would be a duplication of costs of having to keep the solution running on one platform while refactoring it on another platform.

(4) Demonstration of unique source.

USAFRICOM's current Enterprise Level IT Expertise (ELITE) contractors, that support major IT services for AFRICOM and EUCOM and local Microsoft professional services, possess the knowledge, skills, capabilities, certification, clearance, and experience required to continue the program without a break or degradation in critical mission services. USAFRICOM ELITE contractors have gained significant experience deploying and maintaining our existing two Microsoft Cloud environments, which will translate directly into our planned cloud environments expansions, thus shortening the timeline to delivery. Given these critical mission requirements, Microsoft is the only CSP capable of performing the necessary services for the DoD within the current required timeline.

(5) Procurement discussion.

Time Constraints:

- Immediate Deployment: Refactoring DevSecOps in Microsoft IL2 Commercial and deploying Microsoft IL5 and IL6 environments, must be completed within three months to prevent mission disruption.

Unique Features:

- Advanced AI/ML Capabilities: Utilization of Microsoft's native AI services, including Azure AI Search, OpenAI tools, and Azure Synapse for unified analytics and big data processing.

These constraints, requirements, and unique features are essential to ensure the cloud services provided align with USAFRICOM's mission and operational needs, delivering enhanced agility, security, and efficiency.

(6) Impact.

Without access to Microsoft's integrated suite of AI tools and services, USAFRICOM would face significant challenges in analyzing and extracting actionable insights from vast amounts of data within its future data lake and data mesh architecture. This could lead to delays in decision-making, compromised situational awareness, and decreased agility in responding to dynamic and evolving threats across the African continent.

5. COST/PRICE FAIR AND REASONABLE DETERMINATION:

A determination that the price is fair and reasonable will be based on a comparison of the contractor's proposal to the independent government cost estimate and the JWCC Catalog pricing, including any discounts, which was previously found to be fair and reasonable and based on the contractor's commercial pricing.

6. MARKET RESEARCH:

Market research for the basic JWCC Contracts was conducted and resulted in a signed market research report on November 9, 2021, which was validated and recertified on July 29, 2024. After a survey of the market, it was concluded that the JWCC Contract is in the Government's best interest due to technical feasibility and cost to the Government.

In conducting additional market research for USAFRICOM's cloud integration and modernization efforts, a comprehensive approach was employed to ensure informed decision-making. Key techniques included reviewing JWCC contracts to understand available cloud service offerings and terms, and technical information exchanges. The market research was conducted between January 15, 2024 through February 29, 2024. In-person technical exchange meetings were conducted with all four leading CSPs, facilitating in-depth discussions on capabilities and alignment with USAFRICOM's needs. Correspondence with the four JWCC CSPs further clarified service options and integration potential. Lastly, internal interviews with government leadership, MITRE, and Consolidated Analysis Center Inc. assessed existing resources and capabilities, ensuring alignment with internal expertise and operational requirements.

7. ANY OTHER SUPPORTING FACTS: None.

8. ACTIONS THE AGENCY MAY TAKE TO REMOVE OR OVERCOME BARRIERS THAT LED TO THE EXCEPTION TO FAIR OPPORTUNITY:

(a) Procurement History: None

(b) To overcome future barriers to competition, future development, and enhancement of infrastructure as a service component will include shifting to a containerized platform. This will enable multiple CSPs to meet the requirements which will enable the flexibility to shift workload based on financial and mission requirements.

TECHNICAL CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

NAME: [REDACTED]

SIGNATURE: See signature page

TITLE/ORGANIZATION: Cloud Program Manager

PHONE: [REDACTED]

REQUIREMENTS CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

NAME: [REDACTED]

SIGNATURE: See signature page

TITLE/ORGANIZATION: J65, Director, Enterprise Services
Division

PHONE: [REDACTED]

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

NAME: [REDACTED]

SIGNATURE: See signature page

TITLE/ORGANIZATION: JWCC Contracting
Officer/DISA/DITCO/PS8511

PHONE: [REDACTED]

PACA APPROVAL: I have reviewed this justification and find it to be accurate and complete to the best of my knowledge and belief. Since this justification does not exceed \$15M, this review serves as approval and my written determination that the aforementioned FAR circumstances apply.

NAME: [REDACTED]

SIGNATURE: See signature page

TITLE/ORGANIZATION: DISA/DITCO

PHONE: [REDACTED]

ALL QUESTIONS REGARDING THIS JUSTIFICATION ARE TO BE REFERRED TO

[REDACTED] [REDACTED]