



JUSTIFICATION FOR EXCEPTION TO FAIR OPPORTUNITY
EXCEEDING SAT: FAR 16.507-6

J&A-26-0230

This acquisition is conducted under the authority of 41 U.S. Code § 4106 and in accordance with Federal Acquisition Regulation (FAR) 16.507-6 ([Class Deviation 26-04, Rev. 1](#)¹), procedures. █

1. Agency and Contracting Activity.

The Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Acquisition Management (OAQ), prepared this justification for an exception to fair opportunity on behalf of the Office of the Homeland Security Investigations (HSI) Visa Security Program (VSP).

2. Nature and/or description of the item/service being procured and anticipated cost:

- (a) Type of Action: The sole-source interim contract will be issued under Steampunk's Information Technology Acquisition and Assessment Center, Government-Wide Acquisition Contracts, Chief Information Officer-Solutions and Partners 3-Small Business, IDIQ Contract Number 75N98120D00251 to provide continued support for the Visa Security Program Tracking System (VSPTS).
- (b) Contract type: Firm-Fixed-Price (FFP)
- (c) Identify whether **new** action or **modification** to existing action: New
- (d) Dollar value for this justification: █
- (e) Type and year of funding: This interim will utilize HSI Base Funding, Fiscal Year 2026

3. Description of Supplies/Services.

- (a) Describe the supplies or services to be acquired.

OAQ intends to procure continued operations and maintenance support for VSPTS on a sole-source basis. The required services include adaptive, perfective, corrective, and preventive maintenance, system enhancements, documentation updates, and support for the Amazon Web Services (AWS) AWS GovCloud hosting environment and Tier 2 and Tier 3 help desk support to ensure VSPTS remains operational, secure, efficient, and responsive to changing mission, regulatory, infrastructure, and user requirements. These services are required to ensure VSPTS remain operational, secure, efficient, and responsive to changing mission, regulatory, infrastructure, and user requirements.

OAQ intends to procure these support services from the following vendor:

Steampunk Inc.
1753 Pinnacle Dr Suite 215
McLean, VA 22102

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JUSTIFICATION FOR EXCEPTION TO FAIR OPPORTUNITY

EXCEEDING SAT: FAR 16.507-6

- (b) The anticipated period of performance will be a 12-month base period and one (1) 12-month option period.
- (c) Provide a table, similar to the one below, that delineates the estimated total value of the contract to include any options.

Period	Time	Price
Base Period	12 months	
Option Year 1	12 months	
Total		

4. Statutory Exception and rationale for its use:

- ☐ Revolutionary FAR Overhaul (RFO) FAR 16.507-6(b)(1): The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays.
- ☐ RFO FAR 16.507-6(b)(2): 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.
- ☒ RFO FAR 16.507-6(b)(3): The order must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order.
- ☐ RFO FAR 16.507-6(b)(4): It is necessary to place an order to satisfy a minimum guarantee.
- ☐ RFO FAR 16.507-6(b)(5): For orders exceeding the Simplified Acquisition Threshold (SAT), a statute expressly authorizes or requires that the purchase be made from a specified source.

Rationale:

ICE/OAQ intends to award an interim contract to the incumbent, Steampunk, Inc., to continue operations and maintenance support for VSPTS. The proposed interim contract includes a 12-month base period and one 12-month option period to avoid a lapse in mission-critical services while the Government completes the follow-on competitive acquisition and transition. The total potential two-year period of performance is reasonable because the interim effort is limited to the same services currently being performed, and the base and option periods are consistent with the structure and duration of the existing contract/order. The interim is a logical follow-on to the original order, which was competitively awarded under the Chief Information Officer-Solutions and Partners 3 (CIO-SP3) Small Business contract after all eligible awardees were provided with a fair opportunity to be considered on the original order. The scope of the interim remains substantially the same as the original order, and the interim period is necessary to maintain continuity of critical mission support while ICE transitions to a modernized long-term solution.

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Awarding the interim contract to Steampunk Inc. is in the interest of economy and efficiency because the work is a direct continuation of the same VSPTS operations and maintenance support currently being performed under the existing order. The interim effort requires uninterrupted system operations, established processes, operational knowledge, and ongoing coordination with program stakeholders during the bridge period. Maintaining the current contractor reduces performance and schedule risk by avoiding the need for a short-term transition to a new contractor, which would require onboarding, knowledge transfer, process familiarization, and coordination activities that could delay performance. It also avoids increased costs associated with transition, start-up, and duplicative knowledge transfer for a short-term requirement that is substantially the same as the existing work. Continuing with Steampunk Inc. during the interim period minimizes the risk of disruption to VSPTS operations and supports continuity of mission-critical services while the Government completes the follow-on competitive acquisition.

Transitioning to a different vendor for the interim period would require time for the new vendor to become familiar with VSPTS daily operations, system processes, procedures, and mission requirements. Such a transition would also require significant incumbent support, creating duplicative effort, additional transition costs, schedule risk, and potential service delays.

VSPTS directly supports ICE's role in the interagency effort to enhance national security through automated pre-adjudicated screening and vetting of individuals applying for U.S. visas. Continued support is required to ensure ICE can store, track, and manage visa vetting and screening operations effectively. The system also supports the capture and reporting of key operational metrics for internal stakeholders. A break in VSPTS support would create significant mission risk and could impair ICE's ability to support timely and effective visa screening and vetting activities.

ICE leadership recently updated the acquisition strategy for VSPTS. Although release of a competitive re-compete solicitation for the legacy system was originally planned for July 2026, that approach was canceled in favor of a more advanced, modernized solution. ICE leadership intends to transition VSPTS operations to Palantir's Foundry platform. During the interim contract period, the new VSPTS applications are expected to be developed and deployed on the Foundry platform to support a seamless transition while maintaining uninterrupted operational support.

The interim contract is, therefore, necessary to bridge the period between the existing VSPTS environment and the planned modernized Foundry-based solution. This approach avoids disruption to ongoing visa security operations, preserves continuity of critical system support, and allows ICE to modernize VSPTS without requiring a separate short-term transition to another vendor that would provide limited benefit and create unnecessary cost, delay, and performance risk.

The relationship between the original order and the interim follow-on is logical in terms of scope. The interim contract continues the same essential operations and maintenance support performed under the original order, is limited to the period necessary to maintain continuity while the Foundry transition is developed and implemented, and is intended only to satisfy the Government's near-term need for uninterrupted VSPTS services. For these reasons, use of the logical follow-on exception is appropriate and supports the Government's interest in economy, efficiency, and mission continuity.

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

The interim contract will be a FFP Task Order awarded under the CIO-SP3 contract. The Contracting Officer will determine the anticipated price to the Government to be fair and reasonable based on the pre-negotiated contract labor rates under CIO-SP3.

6. Any other facts supporting the justification.

N/A

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.

The Government is conducting market research to determine whether this requirement can be completed under the Scalable Ways to Implement Flexible Tasks (SWIFT) Indefinite Delivery/Indefinite Quantity (IDIQ). Specifically, the research is assessing whether contractors within the SWIFT's Platform as a Service (PaaS) Domain have the capability to migrate the VSPTS application to the Foundry Platform.

8. Posting

- ☒ RFO 16.507-6(f)(1) - ICE intends to post this requirement on sam.gov within 14 days after placing an order or establishing a BPA above the SAT on a sole source basis for a minimum of 30 days.
- ☐ RFO 16.507-6(f)(2) - ICE intends to post this justification on sam.gov within 30 days after award of the order because the agency's need for these supplies/services is so urgent that providing a fair opportunity would result in unacceptable delays for a minimum of 30 days.
- ☐ RFO 16.507-6(f)(4) - ICE will not be posting this justification because disclosure of these supplies/services would compromise the national security (e.g. would result in disclosure of classified information) or create other security risks.

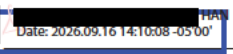
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9. Technical/Requirements Personnel Certification.

Pursuant to RFO FAR 16.507-6(d)(2)(ix), 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.

  Date: 2026.09.16 14:10:08 -05'00'
Technical Representative

10. Contracting Officer Certification

Pursuant to RFO FAR 16.507-6(d)(2)(viii), I certify that this justification is accurate and complete to the best of my knowledge and belief and hereby determine that the circumstances for an exception to fair opportunity exist:

 Digitally signed by PAMELA A
RODGERS
Date: 2026.09.17 08:36:36 -04'00'
Contracting Officer

11. Approval.

 
Procuring Activity Advocate for Competition

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