

Justification for Exception to Fair Opportunity
Exceeding the Simplified Acquisition Threshold Pursuant to FAR 16.507-6(b)(3)

JEFO No.: FY26-0256

Date: September 9, 2026

PR Number: RSLF-26-00181

1. Agency and Contracting Activity.

The Department of Homeland Security (DHS), Office of Procurement Operations (OPO) Science and Technology Acquisition Division (STAD) prepared this justification for an exception to fair opportunity on behalf of the DHS Science and Technology (S&T) Office of Laboratories and Academic Centers (LAC).

The planned, competitive follow-on vehicle to provide support to Departmental RDT&E laboratory priorities was delayed by 22 cumulative weeks of lost productive engagement between October 1, 2025, and April 30, 2026, because of the DHS budget lapse and furlough. Once the furlough ended, the process of planning a competition was further complicated by a protracted reshaping of S&T organizationally necessitated by realignment of Department priorities. The combination of the furlough delay and the subsequent S&T reorganization created a complex and rapidly changing environment that the current vendor supported alongside S&T. Under these circumstances, the current vendor is the only source capable of supporting S&T while it plans for the recompetition of future support to newly defined program priorities and structures. Continuity of efficient support to S&T's laboratory management function for the next 6-month period requires the knowledge and experience uniquely obtained by the current vendor during the recent enterprise level transition period (2025-2026). This logic of the present circumstances demands that DHS S&T maintain continuity of program operations for a reasonable and minimal 6-month period while planning and conducting the re-compete and award; this will allow for both continuity of management and methodical transition to the new contractor eliminating risks to programmatic success from loss of resident knowledge or a rushed transition; and will allow for consideration of new requirements introduced from Divisions new to LAC.

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

DHS OPO intends to extend task order 70RSAT23FR0000076, awarded against General Service Administration (GSA) One Acquisition Solution for Integrated Services (OASIS) Indefinite Delivery Indefinite Quantity (IDIQ) contract no. GS00Q14OADU141 for six months extension period to LMI Consulting, LLC., 7940 Jones Branch Dr, Tysons, VA 22102-3381 without considering other awardees. In accordance with Federal Acquisition Regulation (FAR) 16.507-6(b)(3), FAR Class Deviation 26-04, Revision 1 for FAR Part 16¹, the order must be issued on 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, under which all awardees were originally given a fair opportunity to be considered for the order.

3. A description of the supplies or services required to meet the agency's need (including the estimated value).

The DHS S&T Office of National Laboratories (ONL – now Laboratories & Academic Centers, or LAC) Program Management and Technical Support Services task order provides subject matter expertise to include scientists, engineers, security specialists, project management and controls, business and financial operations, business administration, and communications/public relations for the following entities:

¹ FAR Class Deviation 26-04, Revision 1 for FAR Part 16 was issued as part of the Revolutionary FAR Overhaul (RFO), which was implemented in response to Executive Order 14275, *Restoring Common Sense to Federal Procurement*, signed April 15, 2025. Any subsequent citations to FAR Part 16 in this document will be cited as "RFO FAR" for brevity, and are referring specifically to FAR Class Deviation 26-04, Revision 1 for FAR Part 16.

Justification for Exception to Fair Opportunity
Exceeding the Simplified Acquisition Threshold pursuant to FAR 16.507-6(b)(3)

- ONL (now LAC) Science & Technology Directorate
- Chemical Security Analysis Center (CSAC), Aberdeen Proving Ground, MD
- National Biodefense Analysis and Countermeasures Center (NBACC), Ft. Detrick, MD
- National Urban Security Technology Laboratory (NUSTL), New York, NY
- Plum Island Animal Disease Center (PIADC), Greenport, NY
- Transportation Security Laboratory (TSL), Egg Harbor Township, NJ

These services ensure LAC can conduct research, development, test and evaluation (RDT&E) in multi-disciplinary science and engineering programs, including but not limited to first responder assistance technologies, unmanned aircraft systems (UAS)/counter-unmanned aircraft systems (C-UAS), unmanned vehicles, and radiation detection; facility planning and construction at S&T laboratories to include bio-containment laboratory facilities, explosives handling facilities, and a UAS/C-UAS Research, Development, Test and Evaluation (RDT&E) facility; decommissioning and closure planning of Plum Island Animal Disease Center (PIADC) bio-containment facilities; physical and information security at multiple S&T laboratories; and business administration activities to support program planning, budgeting and execution (PPB&E). These services are critical to S&T laboratory support for Homeland Security Enterprise partners to include the Transportation Security Administration, Customs and Border Protection, Federal/State/Local/Tribal/Territorial first responders, and interagency partners to include the Federal Bureau of Investigation, among others.

Period		Period of Performance	Total (obligated)
Extension	6 mo.	09/30/26 – 03/31/27	\$5,923,335.20

The total estimated value of this extension is \$5,923,335.20 for a 6-month extension period.

4. Identify the exception to fair opportunity 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 modification to 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 in accordance with RFO FAR 16.507-6(b)(3).

Rationale:

The task order period of performance is currently scheduled to end on September 29, 2026. This six-month extension allows critical services to continue during the development of the Request for Information and analysis of associated feedback, Market Research Report, and approval of the acquisition strategy. The Federal Government shutdowns in FY26, combined with S&T's reshaping initiative to restructure the former ONL organization into the new LAC organization, have precluded the Government's ability to recompile S&T laboratory management support requirements during the upcoming 6-month period. As outlined in Section 1 above, there is a logical necessity to continue to rely on the current vendor's knowledge and recent past experience to support on-going program transition including the recompetition for support to S&T's newly defined program priorities and organization.

There is no viable mechanism to staff this 6-month requirement competitively. The current contractor team has been supporting ONL for the last three years, and changing performers now would result in delays to major

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construction and decommissioning acquisition programs, delays in providing critical test and evaluation results for security technologies under current deployment, gaps in process knowledge for Planning, Programming, Budgeting, and Execution (PPB&E) activities critical to LAC's function, loss of situational knowledge resulting from a lack of time to conduct an adequate transition,. The current performer also has cleared and suitability-approved staff onboard and equipped with DHS S&T Government-furnished equipment to enable continued support through to the establishment of the planned competitive award.

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

The Contracting Officer has determined that the anticipated cost to the Government will be fair and reasonable based on a comparison of the proposed cost to the Independent Government Cost Estimate (IGCE). The reasonableness of the proposed prices will be determined by using a price analysis technique in accordance with RFO FAR 15.404-2(b)(3)(iv) Independent Government cost estimates by technical personnel, FAR Class Deviation 26-08, Revision 1 for FAR Part 15². This will include a comparison of the proposed costs to the current task order costs, which were found fair and reasonable at time of award.

6. Any other facts supporting the justification.

There are no other facts supporting the justification.

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.

To ensure offers are solicited from as many potential responsible sources as practicable before any subsequent acquisition, Laboratories & Academic Centers will complete acquisition planning and market research activities to identify qualified vendors, assess the current marketplace, and determine whether the requirement can be structured to maximize competition. These efforts will include reviewing available contract vehicles, evaluating potential small business participation, assessing vendor capabilities, refining the Government's requirements, and determining the most appropriate acquisition strategy for the follow-on effort. The exception to fair opportunity will be necessary only to provide continuity of critical services while Laboratories & Academic Centers completes the required pre-award activities for the competitive follow-on acquisition. Extending the current task order will allow sufficient time to complete market research, finalize the acquisition strategy, prepare the solicitation, conduct evaluations, complete award documentation, and make a competitive award in accordance with applicable procurement requirements. Laboratories & Academic Centers will use the results of these activities to remove or reduce barriers that contributed to the need for this exception, including clarifying requirements, identifying additional capable sources, allowing adequate proposal response time, considering appropriate small business participation, and improving acquisition lead-time planning to reduce the likelihood of a similar exception for future requirements.

8. DHS intends to post this requirement on SAM.gov pursuant to RFO FAR 16.507-6(f)(1)(ii)(A).

9. Technical/Requirements Personnel Certification.

²FAR Class Deviation 26-08, Revision 1 for FAR Part 15 was issued as part of the Revolutionary FAR Overhaul (RFO), which was implemented in response to Executive Order 14275, *Restoring Common Sense to Federal Procurement*, signed April 15, 2025. Any subsequent citations to FAR Part 15 in this document will be cited as "RFO FAR" for brevity, and are referring specifically to FAR Class Deviation 26-08, Revision 1 for FAR Part 15.

Justification for Exception to Fair Opportunity

Exceeding the Simplified Acquisition Threshold pursuant to FAR 16.507-6(b)(3)

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 for Exception to Fair Opportunity, are accurate and complete.



10. Contracting Officer Certification

Pursuant to RFO FAR 16.507-6(d)(2)(viii), I certify that this Justification for Exception to Fair Opportunity is accurate and complete to the best of my knowledge and belief.



11. Approval.

Pursuant to RFO FAR 16.507-6(e)(2), I certify the circumstances support exception to fair opportunity, and I approve this justification.

