



U.S. Department of Justice

Justice Management Division

Office of Acquisition Management

Washington, D.C. 20530

Justification for an Exception to Fair Opportunity FAR 16.507-7 Items Peculiar to One Manufacturer

1. Identification of the agency and the contracting activity.

The requiring organization is the United States Department of Justice (the Department or DOJ), Justice Management Division (JMD), Resolution Management Staff (RMS). The contracting activity is the Office of Acquisition Management (OAM), Procurement Services Section (PSS).

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

This document provides formal justification for an exception to fair opportunity for a brand name/items peculiar to one manufacturer acquisition. The DOJ is seeking to establish a delivery order for the Tyler Technologies Application Platform Reasonable Accommodation (RA) solution and associated services via the National Aeronautics and Space Administration (NASA) Solutions Enterprise-Wide Procurement (SEWP) V Government-Wide Acquisition Contract (GWAC). Competition will be restricted to contract holders authorized to sell Tyler Technologies products in accordance with Federal Acquisition Regulation (FAR) Part 16¹ and in support of Executive Order [14275](#), "Restoring Common Sense to Federal Procurement" dated September 23, 2025.

3. Description of the supplies or services required to meet the agency's needs, including estimated value.

To address the Department's requirements for automating and standardizing the RA process, RMS requires Tyler Technologies' commercial off-the-shelf (COTS) platform. The solution must:

- Process approximately 6,000 RA requests and 10,000 short-term disability requests annually, maintaining an estimated 40,000 existing cases for records retention.
- Operate in a FedRAMP-authorized cloud environment, meeting federal security standards.
- Ensure compliance with Health Insurance Portability and Accountability Act (HIPAA) and the Privacy Act for Personally Identifiable Information (PII) and Protected Health Information (PHI).

¹ The DOJ approved Class Deviations to each FAR Part for the purpose of implementing the Federal Acquisition Regulatory Council's model deviation text. FAR references herein refer to the Revolutionary FAR Overhauled Deviations Parts and DOJ's Class Deviations, which are located at https://www.acquisition.gov/sites/default/files/page_file_uploads/DOJ_RFO_Deviation_Part-16.pdf. The Deviations remain in effect until rescinded or incorporated into the FAR.

Tyler Technologies' Application Platform (formerly known as entellitrak)

- Provide pre-configured RA-specific workflows, tailored to DOJ components.
- Be implemented through configuration of a commercial solution, avoiding substantial custom software development.

The anticipated order will consist of a one-year base period and four one-year option periods,

[REDACTED]

[REDACTED]

[REDACTED]

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

This exception to fair opportunity is conducted under the authority of:

FAR 16.507-7 - Items Peculiar to One Manufacturer

RMS requires software licenses that are peculiar to one manufacturer, Tyler Technologies' Application Platform (formerly known as entellitrak).

This procurement invokes the exception to fair opportunity under FAR 16.507-7, which allows for brand name acquisition when only one product meets agency requirements. The

Tyler Technologies' Application Platform (formerly known as entellitrak)

Department's manual RA processes have led to inconsistent intake, limited visibility, and compliance challenges. The Tyler Technologies RA solution uniquely addresses these gaps by automating, securing, and standardizing the RA process, reducing administrative burden, and maintaining centralized audit trails for legal defensibility. Its FedRAMP certification is critical for handling sensitive employee and medical information, and alternative platforms would require significant customization and validation to replicate DOJ's specialized workflows. Therefore, Tyler Technologies RA solution is uniquely qualified to meet the Department's need for a secure, compliant, and efficient Reasonable Accommodation case management solution. The solution's FedRAMP authorization, tailored workflows, and proven capability to handle DOJ's requirements justify the brand name procurement.

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. The requirement will be competed among authorized NASA SEWP V contract holders (Groups B, C and D). All qualified vendors will have fair opportunity to submit quotes, and SEWP contract prices are established as fair and reasonable under FAR 15.4. Additional discounts will be sought, and the final determination of fair and reasonable pricing will be based on the competitive process under NASA SEWP GWAC.

6. Other facts supporting the justification.

From June 2026 to September 2026, RMS and PSS conducted comprehensive market research, evaluating three leading COTS case management solutions for ADA Reasonable Accommodation against stringent federal hosting, security, and workflow requirements. Only Tyler Technologies fully met DOJ's criteria for FedRAMP certification, tailored terminology, robust PII/PHI security, and minimal configuration needs. Competing solutions lacked one or more critical capabilities (see Appendix A).

- Tyler Technologies is the only solution matching all DOJ requirements—including security, regulatory compliance, and optimized RA workflows.
- Other platforms (Salesforce and ServiceNow) require extensive customization and do not offer fully integrated RA lifecycle support.

Market research confirms that adequate competition exists among NASA SEWP V GWAC contract holders authorized to sell Tyler Technologies products.

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.

While this procurement restricts competition to authorized resellers due to the brand name requirements, DOJ will collaborate with the program office to conduct ongoing market research for future acquisitions. This will ensure that alternative solutions are considered and potential barriers to fair opportunity are addressed for subsequent procurements.

