

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION (JOFOC)**

**(In accordance with Federal Acquisition Regulation (FAR) 6.3 – Other than Full and Open Competition)**

**GSFC JOFOC Template Last Updated: October, 2012**

**1. This document is a justification for other than full and open competition prepared by NASA's Goddard Space Flight Center (NASA's GSFC):**

**2. The nature and/or description of the action being approved:**

Renew software maintenance support for MathWorks License #83832 and #690966 until 7/30/2014

**3. Description of the supplies or services required, including an estimated value:**

Maintenance support for the MathWorks licenses that includes upgrades to the software during the maintenance period and technical support if any problems or issues are found during the maintenance period.

The software is currently required in support of multiple projects (i.e. Global Precipitation Measurement Mission, Magnetospheric Multiscale Mission, and Lunar Reconnaissance Orbiter at the Goddard Space Flight Center) to perform flight dynamic analysis, control system design, and hardware design and testing.

The Matlab software is an integral component for the analysis of flight projects at GSFC. The software has been, and will continue to be utilized to support flight projects with minimal down time due to software maintenances issues.

Maintenance support will be provided for License # 690966 and #82832

**4. Statutory authority permitting other than full and open competition:**

The statutory authority governing this request is 10 U.S.C. 2304 (c) (1), Only One Responsible Source

**5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:**

The MathWorks is the only source for maintenance support of their proprietary software.

The MathWorks will provide any necessary proprietary software upgrades for the operation of the software at GSFC. The MathWorks also maintains a technical support hotline that provides support either at GSFC or at the home site.

**6. Description of the efforts made to ensure that offers are solicited from as many potential sources as practicable, including whether a notice was or will be publicized as required by Federal Acquisition Regulation (FAR) 5.2:**

In accordance with FAR part 5.2, this procurement has been synopsisized on NASA's Acquisition Internet Services (NAIS) Business Opportunities website to ensure that any potential contractors have the opportunity

to express their interest in proposing to meet the requirements. The synopsis was posted on 08/12/13 and ended 08/27/13. No responses were received in regards to the posting of this Synopsis.

**7. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable:**

The proposed costs will be evaluated by the Contracting Officer's Technical Representative and the Contracting Officer to determine that the labor rates, hours, skill mix, other direct costs, indirect costs, and fee are fair and reasonable.

**8. Description of the market research conducted, and the results, or a statement of the reasons market research was not conducted:**

No market research was performed because Mathworks is the only supplier of software maintenance for their proprietary software.

**9. Other facts supporting the use of other than full and open competition:**

None

**10. Sources, if any, that expressed an interest, in writing, in the acquisition:**

In accordance with the requirements of FAR part 5.203(a), a notice of NASA's intent to procure the maintenance support for License # 690966 and # 83832 is published on NAIS and closed on 8/27/2013. There were no quotes received.

**11. The actions the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:**

Nothing, no other software exists

**JOFOC Signature Page for Mathworks License Maintenance Renewal**

TECHNICAL DIRECTORATE: I certify that the facts presented in this justification are accurate and complete.

**OSCAR HSU**

Digitally signed by OSCAR HSU  
DN: c=US, o=U.S. Government, ou=NASA,  
ou=PIV, cn=OSCAR HSU,  
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Signature

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Date

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

  
\_\_\_\_\_  
Signature

8/20/13  
Date

This signature page is to be used for all JOFOC's requiring Contracting Officer Approval (see GSFC Procurement Circular 10-1). Add page number to top right.