

Memorandum for Record – Limiting Competition at or below the Simplified Acquisition Threshold

1. Contracting Activity: Army Contracting Command-NJ, 5418 South Scott Plaza, Joint Base MDL, NJ 08640

2. Description of Action:

Nature: New Requirement

Contract Vehicle: Modification # P00005 to existing Contract # W15QKN-15-C-0111

Pricing/Contract Type: Fixed Price

Funds: 2018 Operations & Maintenance, Army (OMA)

Name of Proposed Contractor(s) and Address:
West Publishing Corporation (Thomson-Reuters)
610 Opperman Drive
Saint Paul, MN 55123-1340

Brand Name Buy: No

3. Description of Services or Supplies: The US Army Criminal Investigation Command (USACIDC) has a requirement to modify the contract for Thomson Reuters Consolidated Lead Evaluation and Reporting (CLEAR) services to add Vigilant License Plate Reader (LPR) capability. This will allow investigative personnel to conduct research on real-time and archived commercial LPR data that works seamlessly with the existing public data services presently available to the current [REDACTED] USACIDC users through the same interface. USACIDC personnel require access to LPR data as it is vital to establishing the movements of personnel and vehicles (both by time and location) to support criminal investigations where time is often of the essence. The estimated value of the proposed modification is as follows:

Option Period 2: 01 Jun 18 to 31 Aug 18
Option Period 3: 01 Sep 18 to 31 Aug 19

[REDACTED]

[REDACTED]

* The original cost of Option Period 2 was [REDACTED]. The increase of [REDACTED] is based upon the modification going into effect on 01 June 18 until the end of the Period of Performance (PoP) 31 Aug 18

** The original cost of Option Period 3 was [REDACTED]. The increase of [REDACTED] is for the full year of Option Period 3.

4. Authority:

FAR 13.106-1(b)(1): For purchases not exceeding the simplified acquisition threshold (SAT), only one source reasonably available, urgency, exclusive licensing agreements, brand name, or industrial mobilization.

5. Reasons for Authority Cited:

The US Army Criminal Investigation Command (USACIDC) is in the next to last year of a four year contract (base year plus three one-year options) with West Publishing Corporation for their CLEAR web-based application for a total of [REDACTED]. This application provides public data on persons that is vital to the conduct of criminal investigations by USACIDC. The CLEAR application establishes the ownership of a vehicle and the specifics of the vehicle. This allows investigators to confirm that a vehicle belonging to a subject of an investigation was located somewhere besides where the subject said it was at the time of the crime. The CLEAR is also used in a kidnapping or child abduction case by helping to locate the vehicle seen at the scene of the crime and helping locate the victim in a timely fashion as well as identifying the owner of the vehicle and where the owner's residence or businesses are located. The LPR Service is already structured to work seamlessly with the CLEAR platform currently in use by USACIDC personnel. The LPR service will provide USACIDC personnel access to databases containing over 5 billion nationwide detections, with an additional 150 million being added monthly. The solution involves ingesting fixed and mobile LPR camera captures, recording not just the image but also the date, time, and GPS coordinates of when and where the image was captured. Additionally, this LPR data is available in almost real-time through the CLEAR platform, with immediate access to the images as soon as they are uploaded into the database. The information gathered can then be leveraged against the other data sources in CLEAR to provide not just a listing of publicly available data on the suspected individual but also the ability to track the movements of their vehicle across time and space. Through the addition of the LPR capability, USACIDC users will also have access the Vigilant's LEARN Platform (Vigilant is the LPR data provider to CLEAR) which allows users to set up alerts for license plates. The LEARN platform also allows USACIDC to collect its own LPR data and upload it to a secure database accessible only to USACIDC users. USACIDC elements have already used the Vigilant LPR capability to assist with developing leads in cold cases.

Should this request not be approved, it will necessitate a separate contract to obtain access to the LPR service without the benefit of interoperability with an existing contract. This tool has already proven its efficacy during testing, resulting in positive leads in at least three cases where none existed before. If this requirement for LPR capability were to be re-solicited, USACIDC would have to re-compete the entire public data services contract, which would take a minimum of 90 days. In the intervening 90 days, USACIDC personnel would not have access to public data that is absolutely vital

to the execution of the USACIDC mission with regard to both the conduct of criminal investigations and the performance of administrative duties.

6. Publicizing Contract Actions: For FAR Part 13 actions, the public display and synopsis requirements of FAR 5.101 and FAR 5.203 apply and will be followed.

7. Market Research: During the March through April 2018 timeframe, USACIDC personnel conducted a search of publicly available information (open source data), which disclosed that there are other companies that provide commercial license plate reader data but not the same way as provided by Vigilant LPR through CLEAR. While TransUnion's TLOxp solution provides access through a separate, non-live gateway, there is a 30 day delay between when the image is recorded and when it can be viewed, each search is charged (cost per query) and there is only about 12 months of data retained. Accurint (LexisNexis) Law Enforcement (LE) has a sharing platform but only to view their own LPR content and that of local LE agencies who share of contribute their images. There is no access to commercial LPR data. Other companies such as ELSAG, 3M, and Genetec have applications and hardware designed for agencies who collect their own LPR data, which Army LE does not collect.

8. Other Facts: The initial contract award was competed on an unrestricted, lowest price technically acceptable basis. While [REDACTED], West Publishing Corporation (Thomson-Reuters) was the only offer determined to be technically acceptable.

9. Technical/Requirements Certification: I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

Typed Name [REDACTED]
Date [REDACTED]
Title: [REDACTED]
Signature: //signed//

10. Contracting Officer Certification/Approval:

I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable based upon price analysis. This determination will be made using FAR 15.404-1(b)(2)(iv) Comparison with competitive published price lists, published market prices of commodities, and (v) Comparison of proposed prices with independent Government cost estimates.

I certify that this justification is accurate and complete to the best of my knowledge and belief, and that completing this purchase as a sole source is in the best interest of the Government. Additionally, I approve this justification to limit competition subject to the availability of funds and provided that the services or supplies herein described have otherwise been authorized for acquisition.

Control No [REDACTED]

Typed Name: [REDACTED]
Date: [REDACTED]
Title: [REDACTED]