



JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 USC 3304 (A): USE OF NONCOMPETITIVE PROCEDURES

¹J&A-26-0094

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11.²) and in accordance with the requirements of RFO 6.104, the justification for the use of the statutory authority under RFO 6.103 is justified by the following facts and rationale required under RFO 6.104-1 as follows:

1. Agency and Contracting Activity.

The Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Acquisition Management (OAQ), proposes to enter into a contract on behalf of the Office of the Chief Information Officer (OCIO), Solutions Delivery Division (SDD) and Enforcement Removal Office (ERO) on a basis of other than full and open competition.

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

(a) Nature of action: DHS ICE intends to award a new contract on a sole source basis.

(b) Name and address of the Contractor:
Bi2 Technologies LLC (Bi2)
488 State Road, Suite 1
Plymouth, MA 02360
Unique Entity ID: MLM7BJXXQXA9
CAGE: 7VJ93

(c) Contract Type: Firm-Fixed-Price

(d) Estimated Total Value (including options): [REDACTED]

Description		Unit Price	Total
Iris Identification and Recognition System Access	1,570 units	[REDACTED]	[REDACTED]
Mobile Offender Recognition and Information System Access	12 months	[REDACTED]	[REDACTED]
Total Cost			[REDACTED]

(e) Type of funding: [REDACTED]

(f) Year of funding: [REDACTED]

² FAR Class Deviation 25-11 is implemented as a result of Revolutionary FAR Overhaul, referred as RFO, following Executive Order 14275, *Restoring Common Sense to Federal Procurement*. All citations in this document follow applicable DHS RFO Deviations therefore are referred as RFO.



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- (g) Solicitation Number: 70CTD026R00000007
- (h) Background information about the requirement: ICE intends to issue a sole source award to BI2 Technologies, LLC for iris biometric recognition technology for offender recognition and access to a biometric information system to allow ICE agents and 287(g) partners to quickly authenticate the identity of subjects during field operations. ICE needs devices and licenses identical to those previously purchased to ensure interoperability with equipment currently in use.

3. Description of Supplies/Services.

The agency has a requirement for an additional 1,570 iris biometric recognition technology devices for offender recognition and access to biometric information systems to allow ICE agents and law enforcement partners to quickly authenticate the identity of subjects during field operations. This technology system supports Presidential Proclamation 108 “Declaring an Emergency at the Southern Border of the United States” and Executive Orders (EO) 14159, “Protecting the American People Against Invasion,” and 14165, “Securing Our Borders,” by enhancing ICE’s capability to quickly and accurately identify individuals encountered during ICE operations. The solution must be an out-of-the-box solution that can be immediately deployed for field operations and meet the following minimum requirements:

- Must be certified by the Federal Bureau of Investigations (FBI)
- Must provide access to real time identification and matching capabilities in the field on fixed and mobile devices
- Must provide the ability to capture and identify fingerprints, iris scans, and facial images all in one device
- Must provide access to records on agnostic platforms (including Microsoft, Apple, and Android)
- Must provide immediate access to booking records across the United States through a secure, encrypted, real-time national criminal justice data sharing network.
- Must provide access to a network based on advanced iris biometric technology, enabling rapid authentication of subject identities.

4. Identification of statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is 41 U.S.C. §3304 as implemented by:

- RFO 6.103-1: Only one responsible source and no other supplies or services will satisfy agency requirements.
- RFO 6.103-2: Unusual and compelling urgency.



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- RFO 6.103-3: Industrial mobilization; engineering, development, or research capability; or expert services.
- RFO 6.103-4: International agreement.
- RFO 6.103-5: Authorized or required by statute.
- RFO 6.103-6: National security.
- RFO 6.103-7: Public interest.

5. Identification of Exception to the Buy American Statute: This is a procurement for information technology that is a commercial product. This requirement is an exception to the Buy American Statute in accordance with RFO FAR 25.202(a)(4).

6. Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

In 2025, ERO acquired IRIS devices from Bi2 Technologies to enhance biometric identification capabilities during field operations. To maintain uninterrupted operations and ensure the continued effectiveness of the devices currently in use, ERO is requesting a sole source procurement for additional IRIS devices from Bi2 Technologies. No other products are compatible with the existing products procured by ICE. This approach ensures compatibility with the existing hardware and software infrastructure, minimizes the risk of interoperability challenges, and provides consistent maintenance and support. Utilizing the same product is critical to prevent potential disruptions, simplify integration efforts, and uphold uniform device performance throughout all operational settings.

Therefore, this requirement can only be met by two proprietary solutions offered exclusively by Bi2 Technologies.

- **Inmate Identification and Recognition System (I.R.I.S.TM)** - the nation's only secure, encrypted, real-time national criminal justice data sharing network, based on iris recognition technology, which enables law enforcement agencies across the country to positively identify individuals in seconds from virtually anywhere.
- **Mobile Offender Recognition & Information (MORISTM) System** - a secure, mobile, wireless and handheld offender recognition and information system that gives users access to any information and data previously entered into the I.R.I.S.TM national database.

Bi2 holds the only non-Federal national, web-based iris biometric network and database specifically tailored for law enforcement. When used together, I.R.I.S. and MORIS match iris captures nationwide arrest records with 99% accuracy. Bi2 developed their solution through collaboration with the National Sheriffs' Association, Western States Sheriffs' Association,



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and the Southwestern Border Sheriffs' Coalition. Their iris technology has been certified by the FBI and can be integrated with existing jail and records management systems, the Automation Fingerprint Identification System (AFIS), and sex offender trafficking systems. Their system provides access to the arrest and incarceration history of offenders from 47 states. Bi2 provides a multimodal biometric solution which matches I.R.I.S. scans to mugshots, state ID, federal ID, offense, aliases, charges, and arrest details. Bi2's multimodal system integrates multiple biometric technologies, including iris, fingerprint, and facial recognition, into a single, mobile device. This capability is unmatched by any competitor. The multimodal approach ensures redundancy, so if one sensor is compromised, alternative biometric modalities are available to obtain the necessary information.

The procurement of I.R.I.S. and MORIS will provide ICE with arrest data beyond what is currently available through existing government-only databases. As of 2023, [REDACTED] has accumulated more than 2.7 million sets of IRIS images with roughly 100,000 new identities being added every month. By comparison, Bi2 performed over 4.2 million unique offender iris searches the same year. Today, Bi2 can provide ICE with immediate access to over 5 million booking records across multiple jurisdictions in the United States. Use of this technology and data will meet ICE's need to positively identify persons of interest and people lying about their identity during field operations.

Additionally, ICE maintains partnerships with state and local entities through the 287(g) program, providing our partners with access to this dataset to support the identification of known individuals beyond what is available in government-owned datasets. Specifically, the Jail Enforcement Model (JEM) is designed to identify and process removable aliens who are arrested by state and local agencies. Access to this dataset will ensure that our 287(g) partners have access to booking records and identity validation information that may not be reported at the federal level.

Furthermore, Bi2 Technologies offers plug-and-play software, support, and training, which will save ICE additional funding that would otherwise be required to build or customize a biometric system.

Other contractors have partnered with law enforcement organizations and developed iris scanning solutions, but their solutions lack the mobility and access to real-time data offered by the Bi2 solution. [REDACTED] lacks direct field access or mobile use which are mission critical Agency requirements. Instead, [REDACTED] relies on agency submission workflows from jail and booking stations. This results in no real-time matching capabilities, particularly in field operations. Only agencies approved by the FBI can be granted access to [REDACTED], further limiting its usability. The system functions as a backend database, requiring agencies to source and integrate their own capture technology. Consequently, the system does not support immediate data capture and identification in the field, which is critical for law enforcement operations. The absence of integrated capture technology and real-time matching capabilities does not meet the Agency's mission critical requirements during dynamic law enforcement scenarios.



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██████████ also has an iris-matching and reporting system, but it is limited in its ability to capture real-time local/state police and sheriff’s department inmate and booking data in the field. This system lacks a complete law enforcement workflow tool, requiring agencies to develop or integrate their own systems around the hardware that ██████████ sells. ██████████ primarily focuses on stationary access and has limited mobile capability, making field use by officers very challenging. The system does not integrate with any local intelligence tools. ██████████ specializes in iris recognition only, resulting in limited overall capabilities. Additionally, there is no real-time identification, as ██████████ provides only the capture hardware and software but not the necessary infrastructure for rapid access in the field.

Bi2 has developed proprietary software and hardware systems that allow officers to capture and identify fingerprints, iris scans, and facial images all in one device—whether computer or mobile. Most other vendors only allow data capture using one specific hardware tool, which would not be advantageous to ICE, as officers need access to information on various devices 24/7/365. Additionally, while other companies focus heavily on just iris capabilities, Bi2 Technologies has added features such as driver’s license/plate look-up and mobile device integration (agnostic platforms including Microsoft, Apple, and Android).

If ICE is unable to procure Bi2 Technologies’ solution and associated data analytics, the agency’s operational capabilities will be significantly diminished. Without access to over five million booking records across multiple jurisdictions, ICE will face delays and inefficiencies in identifying and processing individuals within the criminal justice system. The absence of the IRIS and the MORIS will prevent ICE from leveraging advanced biometric tools—such as iris, fingerprint, and facial recognition—for accurate and timely identity verification. This gap will increase reliance on incomplete or outdated records, elevate the risk of misidentification or false releases, and reduce the effectiveness of enforcement and removal operations. Ultimately, the lack of these systems will compromise ICE’s ability to conduct secure, real-time identity verification in the field, negatively impacting enforcement efficiency and public safety.

7. Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

OAQ publicized this requirement, **prior to award**, as required by RFO FAR 5.1 by posting a notice of intent to sole source on SAM.gov on March 1, 2026. A combined synopsis/solicitation will be posted on SAM.gov to satisfy the posting requirement at RFO FAR subpart 5.2.

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

The contracting officer will determine whether the costs are fair and reasonable using RFO FAR 15.404-1(b)(2): Comparison of the proposed prices to historical prices paid, whether by the Government or other than the Government, for the same or similar items. This method



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may be used for commercial products or commercial services including those “of a type” or when requiring minor modifications for commercial products.

9. Description of Market Research.

Extensive online market research, conducted beginning August 2025 via Google and requests for capability statements on SAM.gov, confirmed that Bi2 Technologies holds the only non-Federal national, mobile and web-based iris biometric network and database. There is no viable competition in this specific market segment that will meet ICE’s requirements.

On August 6, 2025, ICE issued the Notice of Intent to Sole Source - Bi2 Technologies, LLC on SAM.gov to notify industry of the requirement and invite all contactors to share their interest and capabilities before ICE moved forward with the award. The notice stated “any interested party may submit a statement of capabilities, which if received timely, will be considered by ICE.” The response deadline was August 11, 2025. To date, no qualified contractors have reached out to the contracting officer with a capability statement to express interest in this requirement.

████████████████████ is the only contractor that appears on the Interested Vendor List for this posting. The contracting officer reviewed the company’s website and existing contracts and discovered that they offer IT services and specialize in Artificial Intelligence, Cloud Services, Big Data Analytics, Digitization, and Training. There are no references to iris or biometric technology on their website or GSA contracts.

On ██████████, ICE received a request from ██████████ to review their references and product line with our stakeholders. They did not provide a capability statement, and it was previously determined their offerings could not meet the needs of the agency.

In summary, while other companies like ██████████ offer general biometric tools, they do not focus exclusively on mobile or iris-based law enforcement tools nor provide a complete multimodal biometric solution. Bi2 Technologies has developed proprietary software and hardware systems that integrate iris recognition, facial recognition, and fingerprint scanning, specifically tailored for law enforcement. This unique positioning ensures that Bi2 Technologies' solutions are unparalleled in providing comprehensive iris biometric identification services across multiple jurisdictions. The I.R.I.S. and MORIS systems are protected by intellectual property, making replication by competitors difficult without licensing or extensive research and development.

10. Any other facts supporting the use of other than full and open competition.

Not applicable.

11. A listing of the sources, if any that expressed, in writing, an interest in the acquisition.



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ICE posted an intent to sole source on SAM.gov on March 1, 2026, and will consider any capability statements received.

12. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services required.

ICE intends to increase competition for future acquisitions related to biometric capabilities by actively seeking and evaluating alternative solutions and vendors. For upcoming procurements, ICE will conduct thorough market research, issue Requests for Information (RFIs), and engage with industry partners to identify emerging technologies and qualified suppliers. This approach will reduce reliance on sole-source procurements for IRIS and MORIS technologies, ensuring broader market engagement, fostering innovation, and promoting cost-effective options to meet mission requirements. By prioritizing open competition, ICE aims to enhance operational effectiveness and support the agency's long-term strategic goals.

13. Contracting Officer's Certification.

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

Contracting Officer

Date

Competition Advocate Concurrence

[Redacted Signature]

Competition Advocate

Date

14. Technical/Requirements Personnel Certification.

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

[Redacted Signature]

Technical Representative/COR

Date

15. Approval.

[Redacted Signature]

Head of Contracting Activity

Date