**UNITED STATED MARINE CORPS**
MARINE CORPS LOGISTICS COMMAND
814 RADFORD BLVD
ALBANY, GEORGIA 31704-1128

IN REPLY REFER TO:

MCLC S1930

J&A No.
13202

# JUSTIFICATION AND APPROVAL FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Marine Corps; Marine Corps Logistics Command, Albany, Georgia, Contracts Department (S19)

2. Description of Action Being Approved.

This is a request for contract without providing for full and open competition. This will be a new contract in the same vein as the existing Contract Number M67004-11-C-0029 at Albany MCB, Albany, GA. This is a contract for general labor services are required for Integrated Logistics Support (ILS) at Marine Corps Logistics Command (MCLC), Albany, GA. which is ongoing at Distribution Management Center (DMC), Albany, GA.

3. Description of Supplies/Services.

This J&A authorizes and approves the award of a sole-source, time and material contract modification to Prime Tech Incorporated (PTi), 1803 Swift Ave, North Kansas City MO. 64116-3806 for labor services support equipment related to inventory management and control, general warehousing, storage, tactical vehicle maintenance, kitting and distribution of Marine Corps Principal End Items (PEI's) in support of Storage Operation Department, DMC, Albany GA. The surge in combat and support equipment assets being returned from the deployed Marine Forces and Remote Storage Activities has resulted in a significant increase in labor resources to execute DMC's core processes of receipt, storage and distribution. The current contract support is required to provide management, supervision, personnel, and other items, materials handling equipment, personnel transport vehicles, and services necessary to provide support to the RESET and Retrograde (R2) effort and ensure sustained and uninterrupted operations. Government material is arriving and currently being staged at various warehouse/lay-down areas aboard MCLB Albany GA. Types of vehicles and equipment include, but not limited to:

-High Mobility Multipurpose Wheeled Vehicle (HMMWV) all variants – Amphibious Assault Vehicles (AAV) all variants (Motor Transport Equipment)
-Mine Resistant Armored Protected Vehicle (MRAP) CAT's I, II, III
-Logistics Amphibious Vehicle (LAV) all variants (Ordnance Equipment)
-Engineering Equipment, Tactical; Graders, Dirt Pans, Backhoes, Dozers, Forklifts
-Generators 10KW thru 100KW
-Decontamination Units
- Communications and Electronics equipment
- Small Arms/Infantry Weapons
-Repair parts and equipment associated with the equipment listed above

Additionally, the contractor is to provide materials handling equipment ( 5 each 6K Forklifts) that will be maintained and used by the PTi Labor Force for receiving, processing and staging material, vehicles and R2 equipment. The contract modification will specify a delivery date for services ordered. The

contract modification will consist of seven line items, five (5) for the Labor Services and two (2) for Other Direct Costs. The performance period for this contract is for the period of the requested modification award date through 19 Sept 2012. The modification will include [redacted] Option Years. The maximum value of this procurement is estimated at [redacted] Operations and Maintenance Marine Corps Funds will be utilized.

4. Statutory Authority Permitting Other Than Full and Open Competition.

The statutory authority permitting other than full and open competition is 10 U.S.C. Section 2304(d)(1)(B) which states that in the case of a follow-on contract for the continued development or production of a major system or highly specialized equipment, or the continued provision of highly specialized services, such property or services may be deemed to be available only from the original source and may be procured through procedures other than competitive procedures when it is likely that award to a source other than the original source would result in substantial duplication of cost to the United States which is not expected to be recovered through competition; or unacceptable delays in fulfilling the agency's needs. This is implemented by the Federal Acquisition Regulation (FAR) 6.302-1, Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements. Specifically 6.302-1(a)(2)(iii).

5. Rationale Justifying Use of Cited Statutory Authority.

Prime Tech Incorporated (PTi) currently is the incumbent contractor performing the services at MCLC Distribution Management Center, Albany, GA. As a result, PTi is uniquely qualified to immediately provide the complete range of services required. Given PTI's current involvement with MCLC, PTi has the original intent and processes operational to allow uninterrupted support to continue for the DMC concerning the ILS Support Services. Due to newly defined timelines for drawdown of Marine Forces from contingency operations in Afghanistan the emerging workloads associated with the stepped up timeframe have changed the DMC's ILS program plans. DMC is expecting an increased surge in delivery of retrograde PEI's, Class II, and Class IX materials. In addition, DMC will be performing Field Level Maintenance (FLM) actions on retrograde PEI's. This projected increase in workload requires further augmentation of the existing workforce in order for SOD to properly execute core processes of receipt, store, maintain and delivery in support of R2 Operations at MCLC. The Governments desire is not to encounter substantial duplication of cost which would not be recovered through competition; or experience unacceptable delays in fulfilling the agency's needs due to emerging time constraints. The basis of the sole source justification is due to being a follow-on acquisition as implemented in FAR 6.302-1(a) (2) (iii). It is estimated if other than PTi, were awarded this effort an estimate learning curve of 90 days would exist. This would equate to [redacted] days of non-production in which the Marine Corps is paying a contractor to perform with the possibility of no results. In addition, DMC would be forced to computing the total of [redacted] workdays for a Site Manager at a loaded rate of [redacted] for the remainder of FY12 and a potential [redacted] workdays at [redacted] in the event that three Option Years are executed. Any contractor would need time to evaluate the current process and establish a tried method to perform the required services. PTi will need no such learning curve. As referenced above the estimate of the required time for a contractor other than PTi to be able to function as required in the applicable performance work statement is estimated to be up to [redacted] days. Additionally, new contract solicitation and award timelines are estimated at an additional [redacted] days. A delay of this magnitude in actual services received would be prohibitive and would not support the program requirements.



**Source Selection Information – See FAR 2.101 and 3.104**

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Possible

This effort was originally synopsized on 26 May 2011 which resulted in the receipt of [redacted] proposals. All responses received were evaluated prior to award of the contract. Market research, in accordance with FAR Part 10, was conducted by synopsis of the proposed action, advising industry, and soliciting information from interested parties. The cost/benefit analysis reflects the difference from the high to the low quote was [redacted]. However, the difference between the low and the next low was [redacted] (PrimeTech International Inc and [redacted]) The Marine Corps is continues to seek "Best Value" for this requirement. PrimeTech International Inc was the low offeror for this requirement. PrimeTech International Inc's offer was considered both reasonable and realistic. Reasonable and realistic is defined as reasonableness of offeror's proposal as evaluated through cost or price analysis techniques as described in FAR Subpart 15.305 (a) (1) and (4). For the cost to be reasonable, it must represent a cost (price) that provides best value to the Government when consideration is given to prices in the market and functional capabilities of the offeror and risk. Realistic is evaluated by assessing the compatibility of proposed costs with proposal scope and effort. For the cost (price) to be realistic, it must reflect what it would cost the offeror to perform the effort if the offeror operates with reasonable economy and efficiency. PrimeTech International Inc's offer passed all these measurements. Considering all available analysis it was determined the quote of PrimeTech International Inc in the amount of [redacted] was deemed to be best value to the Marine Corps and was accepted without discussions being held.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer has determined the anticipated cost to the Government of the supplies/services covered by this J&A will be fair and reasonable. The fair and reasonableness of the cost/price will be based on an analysis of the contractor's cost/price proposal, including backup information supporting the cost/price with price analysis, prior similar contracts (M67004-11-C-0029), and market research. It is anticipated this analysis will be conducted using experienced technical representative and the assigned contract specialist. Total increase in man-hours would be [redacted] for the remaining of the base performnace period and [redacted] each for the remaining two option periods. The Government estimate for this effort is [redacted] or [redacted] increase from the original award amount. Utilizing the required additional positions and equipment a comparison was made with the next low quote received. In evaluating this the increae would be [redacted] or [redacted]. The difference between the two is [redacted].

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, the Marine Corps has no plans at this time to compete future contracts for the types of supplies/services covered by this J&A. If another potential source emerges, the Marine Corps will assess whether competition for future requirements is feasible.



**Source Selection Information – See FAR 2.101 and 3.104**

## CERTIFICATIONS AND APPROVAL

### Technical/Requirements Certification

I certify that the facts and representations under my cognizance, which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:

(Signature) _____ Date 2/14/12

Printed Name and Phone No: William S. Johnson (229)-639-5322

Requirements Cognizance:

(Signature) _____ Date 2/14/12

Printed Name and Phone No: G. M. Satterfield (229) 639-8108

### Legal Sufficiency Review

I have determined that this Justification is legally sufficient.

(Signature) _____ Date 2/16/12

Printed Name and Phone No. _____

### Contracting Officer Certification

I certify that this Justification is accurate and complete to the best of my knowledge and belief.

(Signature) _____ Date 2/16/12

Printed Name and Phone No. _____



Source Selection Information – See FAR 2.101 and 3.104