

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

1. **IDENTIFICATION OF REQUESTING AGENCY AND CONTRACTING OFFICE:**

A. Agency Name: Naval Postgraduate School
Information Technology & Services Center
555 Dyer Road
Monterey CA 93943

B. Contracting Activity: Department of Navy
Naval Supply Systems Command
Weapons System Support
5450 Carlisle Pike
Mechanicsburg PA 17055

2. **DESCRIPTION OF ACTION BEING APPROVED:**

The proposed contract for desktop support services is to be awarded without providing for full and open competition to [REDACTED]. The proposed acquisition will result in a fixed price sole-source contract for a 3 month period to meet mission requirements between the end of the current IDIQ contract delivery order and the competitive follow-on acquisition currently underway. The government's minimum needs have been verified by the technical and requirements personnel and are estimated to have a total dollar value of [REDACTED].

3. **DESCRIPTION OF SERVICES:**

The proposed sole-source contract will provide the Naval Postgraduate School's (NPS) desktop support and end-user support services for the Team Monterey Academic Enclave at the Defense Language Institute Foreign Language Center (DLIFLC), as well as the mission IT (above baseline) support services for DLIFLC MIL network customers. DLIFLC is the sole provider of language education in the Department of Defense.

DLIFLC supports a population of approximately 6,000 military and federal civilian employees. It covers approximately 1190 acres consisting of the Main Post (393 acres), the Larkin School Annex, the Monte Vista School Annex, and the Ord Military Community (OMC/797 acres). DLIFLC also supports the DLI - Washington D.C office (10 personnel). The DLIFLC is regarded as one of the finest schools for foreign language instruction in the world. Resident instruction is provided at the Presidio of Monterey in 23 languages plus several dialects. Instruction is administered through 31 language departments and the Emerging Languages Task Force, which expands or contracts in response to the needs of the sponsoring agencies. The present facilities at the Presidio of Monterey can accommodate approximately 3,800 students. Instruction in over 84 languages and dialects is also routinely provided under DLIFLC-supervised contractual arrangements in Washington, D.C. The DLIFLC also provides extensive non-resident instructional support in a variety of languages and dialects.

This contract will provide end-user support services for all of DLIFLC, including computer hardware support, software installation and support, and mobile device support. DLIFLC generates 25,000 help desk tickets annually. This contract support all of those trouble calls.

The proposed sole-source contract will provide required support services for a period of three (3) months and will provide continuity of support for NPS programs between the end of the current IDIQ Contract Delivery Order (N0010411DQ587 0010) on 28 February 2012 and the follow-on contract estimated to be competitively awarded on or before July 2012.

4. IDENTIFICATION OF STATUTORY AUTHORITY:

Title 10 United States Code (U.S.C.) 2304 (c) (1): This authority is appropriate when services are deemed to be available only from the original source and a follow-on contract for the continued provision of highly specialized services is necessary. It is likely that award to any other source would result in unacceptable delays and unacceptable contractor performance in fulfilling the agency's requirements.

5. Rationale Justifying the Use of Cited Statutory Authority:

Title 10 (U.S.C.) 2304 (c) (1) allows the restriction of competition when services are deemed to be available only from the original source in the case of a follow-on contract, for the continued provision of specialized services when it is unlikely that an award to any other source would result in "unacceptable delays in fulfilling the agency's requirements."

The proposed sole-source contract will provide NPS to provide desktop support for DLIFLC in the context of a multi-year partnership to extend the existing NPS academic network to DLIFLC. This contract is a temporary continuation of the existing support contract to enable continued mission support while a fully competitive action is pursued for the second phase of the three-phased project. It is expected a fully competitive action should be complete on or before this proposed sole-source contract is fully executed and these efforts are essential to ensure the follow-on can be competitive without impacting the NPS mission. The follow-on contract or task order is expected to be awarded before June 30, 2012.

The academic schedule of DLIFLC does not stop throughout the year. The demand for DOD trained linguists is at an all time high. The proposed 3-month sole-source contract will provide continuity of service while providing time to ensure a smooth transition to a competitive follow-on contract.

An interruption in desktop support services would result in DLIFLC being unable to perform mission. The result would be language courses for 4,000 students and 2,500 faculty, along with extension programs effecting 50,000 service men and women would not be supported. Suspension of these services would be catastrophic to DOD language education activities for the duration of the suspension of services and the subsequent recovery period following the resumptions of services. All new class starts would be suspended for DLIFLC until this service was reinstated.

Awarding to a new contractor during this short period of performance will seriously harm DLIFLC's ability to perform mission and result in hundreds of thousands of lost training hours.

Under PGI 216.505-70 (C)(II), this follow-on action is for an exception based on the current work being performed by the contractor, as it would not be practical for another contractor to begin work anew on the task for this short duration.

6. DETERMINATION OF FAIR AND REASONABLE COSTS:

A firm fixed price contract with eDataTech is anticipated to satisfy this requirement. The labor categories and applicable labor rates are anticipated to be in line with the contractor's current effort. 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.

7. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED:

As this is a three (3) month follow-on effort, limited market research has been conducted. Given [REDACTED] experience with the effort, it is not cost effective to bring another vendor on board; such an approach would incur additional costs due to the learning curve and impact the delivery schedule.

8. OTHER SUPPORTING DATA:

Training a new contractor for this short duration would be extremely detrimental to the mission of DLIFLC. DLIFLC provides 28,000 training hours per day to its students. This contract is in direct support of the systems that used in by the student and faculty, as well as in the classroom. An interruption in these services would be catastrophic to DLIFLC. The annual budget for DLIFLC is \$350M. A day of lost productivity for the institution is worth approximately \$1M.

9. ACTIONS TO REMOVE BARRIERS TO COMPETITION:

NAVSUP NWSS will compete a three year effort in the open market. A sole-source contract is required for three (3) months until such time that the competition for these services is completed. In addition, this work is a continuing effort preventing short term competition that would cause a delay in services.

10. REFERENCE TO APPROVED ACQUISITION PLAN/STRATEGY:

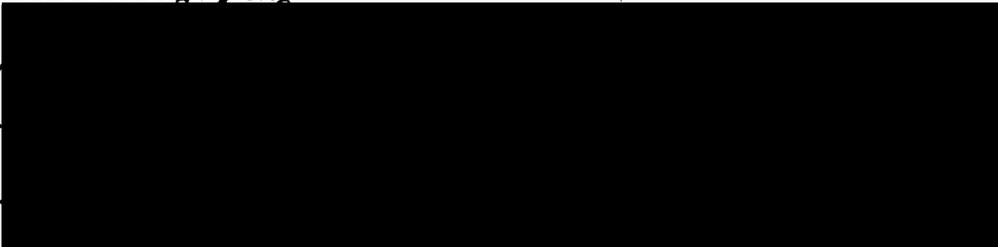
An Acquisition Plan is not required. This acquisition is below the thresholds prescribed in DFARS 207.103 for a written acquisition plan.

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 Name (Printed) Phone No. Date

(Note that this page includes certification that the acquisition planning documents are complete and accurate.)

(If a single individual has cognizance over both technical and requirements information included in the J&A, use of only one signature line is encouraged ["Technical Cognizance:" and Requirements Cognizance:" may also be deleted]).

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

Signature Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION

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



Signature Name (Printed) Phone No. Date

CONTRACTING ACTIVITY COMPETITION ADVOCATE APPROVAL (\$150K - \$11.5M)

Signature Name (Printed) Phone No. Date