



DEPARTMENT OF THE NAVY  
NAVSUP FLEET LOGISTICS CENTER NORFOLK  
1968 GILBERT STREET SUITE 600  
NORFOLK VA 23511-3392

IN REPLY REFER TO  
240.3  
20 Feb 2015

JUSTIFICATION AND APPROVAL  
OTHER THAN FULL AND OPEN COMPETITION

Ref. 15541.1

1. CONTRACTING ACTIVITY

Requiring Activity: Naval Computer and Telecommunications Area Master Station Atlantic  
(NCTAMS LANT)  
9625 Moffett Ave  
Norfolk, VA 23511-2784

Contracting Activity: NAVSUP Fleet Logistics Center, Norfolk (FLCN)  
Acquisition Department, Code 200  
1968 Gilbert Street, Suite 600  
Norfolk, Virginia 23511-3392

Requisition Number: TBD

2. NATURE/DESCRIPTION OF CONTRACT ACTION:

This is a non-competitive action submitted for approval to issue a Firm Fixed Price (FFP) commercial contract to Satellite Communications Systems, Incorporated (SCSI) for commercial official and unofficial internet and long distance telephone services, incoming and outgoing, at Naval Station (NAVSTA) Guantanamo Bay, Cuba to/from accessible worldwide locations in support of NCTAMS LANT. The period of performance is for one (1) three month period from 01 March 2015 to 31 May 2015 for the official services and one (1) twelve month period from 01 March 2015 to 29 February 2016 with two (2) three month option periods extending through 31 August 2015 for the unofficial services. The estimated total dollar value is \$39,784.83 for the official services and \$6,545,956.95 for the unofficial services, for an overall contract value of \$6,585,741.78. The official services will be funded with Operations & Maintenance, Navy (O&MN) funds.

These services are currently being provided under contract N00104-11-M-Q229, which was sole sourced to SCSI. This contract includes a base year, two (2), twelve (12) month option periods and one (1), twelve (12) month bridge which is set to expire on 28 February 2015.

3. DESCRIPTION OF REQUIRED SUPPLIES/SERVICES:

This is a non-competitive action submitted for approval to issue a Firm Fixed Price contract to SCSI for the procurement of commercial official and unofficial internet and long distance telephone services, incoming and outgoing, at Naval Station (NAVSTA) Guantanamo Bay, Cuba to/from accessible worldwide locations. SCSI currently provides telephony services using their forward deployed termination equipment (i.e. Earth Terminals), leased SATCOM bandwidth, telephone business office and monthly detailed customer billing.

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. 2304 (d)(1)(B), as implemented in Federal Acquisition Regulation (FAR) 6.302-1, Only one responsible source and no other supplies or services will satisfy agency requirements.

5. RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:

The authority cited in paragraph four (4) above is applicable in accordance with FAR 6.302-1(a)(2)(iii)(B). The services have been deemed to be available only from one source since this requirement is a follow-on contract for the continued provision of the existing services and awarding to any other source would result in an unacceptable delay.

Another provider cannot provide all the required technical/administrative support services in sufficient time to support NAVSTA Guantanamo Bay's official commercial service requirements without a break in service. A break in service would have a significant operational mission impact on the entire customer base that includes Joint Task Force GTMO, Office of Military Commission and multiple NAVSTA GTMO commands. Another provider would have to acquire commercial satellite availability, reconfigure the existing network, and fully transition without any system interruption. There is not sufficient lead time to execute this transition without an unacceptable delay.

To address the long-term requirement for the official services, NCTAMS LANT and DISA Southcom are developing a technical solution to support NAVSTA Guantanamo Bay official long distance service customers directly via DISA/DoD owned assets. This technical solution will result in significant cost savings and position the base for a simplified transition to a DISA undersea cable that is currently being installed. This three (3) month contract extension is required due to the significant number of actions required to implement the required technical solution, such as bandwidth and switch assessment testing. This transition cannot be completed prior to the expiration of current contract on 28 Feb 2015 without an interruption to services.

A lapse in service would result in the loss of commercial official long distance telephony services provided to the warfighter at NAVSTA Guantanamo Bay. Loss of commercial telephony support would result in customers reverting to Defense Switch Network (DSN) telephony services, which would significantly increase DSN usage and could saturate system availability with a potential degradation in command and control voice reporting capabilities; e.g. busy signal due saturation requiring re-access attempt(s) or waiting to off hours to place calls. Blockage and delays would adversely impact the ability of commands to accomplish their operational missions. A lapse in service for the unofficial services would have a direct impact on the general population located on the island. This would completely shut down internet, cellular and cable services to the general public, having a dramatic impact on the population's quality of life. Continuation of these mission critical communication services to the Government's requirement is crucial to satisfy immediate and critical needs.

#### 6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:

As a result of the information provided in paragraph five (5), it has been determined that no other vendors can meet the Government's minimum needs in the required time frame. A synopsis of this requirement will be posted to the Government Point of Entry (GPE) in accordance with FAR 5.201. Any sources who express interest will be evaluated for consideration.

#### 7. DETERMINATION OF FAIR AND REASONABLE COST:

The Procuring Contracting Officer will make a determination of fair and reasonableness of price based upon price analysis in accordance with FAR 15.404. In addition, technical assistance will be utilized to verify the types, mix and quantities of labor utilized in the development of the contractor's proposal. This analysis will sufficiently ensure that the proposed price is fair and reasonable.

#### 8. ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION:

A follow-on requirement will not be needed for the official services as NCTAMS LANT and DISA are working to implement a technical solution that will migrate all long distance services to DISA/DoD owned assets, negating the need for continuation of commercial official services. NEXCOM will assume the follow-on requirement for the unofficial services, and desires to time their takeover with the installation of the DISA undersea cable that is currently being installed. NEXCOM is currently conducting a thorough review the entire procurement package to determine if any changes can be made to improve the competitive landscape.

#### 9. CONTRACTING POINT OF CONTACT:

The point of contact at NAVSUP FLC Norfolk is Mrs. Caitlin King, who may be reached at (757) 443-1342 or electronically at Caitlin.king@navy.mil.

**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:**

Kelby DesBouché      Kelby DesBouché      443-914223      FEB 25  
 Signature                      Name (Printed)                      Phone No.                      Date

**Requirements Cognizance:**

Kelby DesBouché      Kelby DesBouché      443-9142      23 FEB 15  
 Signature                      Name (Printed)                      Phone No.                      Date

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient.

James P. Winthrop      James P. Winthrop      757-443-1094      25 FEB 15  
 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. To the extent that the J&A/LSJ value is between \$150K and \$650K, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

J. T. Dorsey      Jean T Dorsey      757-443-1411      2/25/15  
 Signature                      Name (Printed)                      Phone No.                      Date

**CONTRACTING ACTIVITY COMPETITION ADVOCATE REVIEW**

To the extent that the J&A/LSJ value is between \$650K and \$12.5M, the Competition Advocate's signature below also represents approval of the J&A/LSJ.

Marlene K Chambley      Marlene K. Chambley      757-443-1362      2/26/2015  
 Signature                      Name (Printed)                      Phone No.                      Date