

LIMITED SOURCE JUSTIFICATION FOR MAC ORDER (above SAT)

1. **IDENTIFICATION OF AGENCY AND CONTRACTING ACTIVITY:** This is a Limited Source Justification. The requiring activity is the Commander, Naval Installation Command (CNIC); the contracting activity is the NAVSUP Fleet Logistics Center, San Diego.

2. **NATURE/DESCRIPTION OF CONTRACT ACTION:** This acquisition is conducted under the authority of 10 U.S.C. 2304(d) and as implemented by Federal Acquisition Regulations (FAR) Part 16, in particular, FAR 16.505(b)(2)(i)(A). The order must be issued as an exception to the fair opportunity process because the need for the supplies and services is so urgent that providing a fair opportunity would result in unacceptable delays.

3. **DESCRIPTION OF REQUIRED SUPPLIES/SERVICES:** The proposed acquisition is to acquire and maintain continuity of services for Sprint voice and wireless data services for the Commander, Naval Installations Command in direct support of CNIC mission requirements. The required period of performance is February 1, 2013 through 31 March 2013, for an estimated value of \$

4. **IDENTIFICATION OF THE JUSTIFICATION RATIONALE THAT THE AGENCY NEED FOR SUPPLIES AND SERVICES IS SO URGENT THAT PROVIDING A FAIR OPPORTUNITY WOULD RESULT IN UNACCEPTABLE DELAYS:** The statutory authority which permits not providing each awardee fair opportunity for each order exceeding \$3,000 issued under a multiple award contract is 10 U.S.C. 2304(d), as implemented by FAR 16.505(b)(2)(i)(A) and Section 803 of the National Defense Authorization Act for Fiscal Year 2002, DFARS 216.505-70(b)(2).

Voice and data services continue to be combined in support of the required Blackberry™ and Aircard services from Sprint currently distributed throughout CNIC Regions/Enterprise. Switching to another provider would not be in best economic or performance interest of CNIC. CNIC must ensure that all devices are NMCI compliant.

All NMCI regions will need significant lead-time to process any Move, Add, Changes to import any blackberry porting or changes in vendor. Any change to the provider requires NMCI to reconfigure all existing devices, which would take about a month to complete. Accordingly, any new vendor could not qualify its products in time to provide service beginning on or before 01 February 2013.

Currently, Commander Navy Installations Command (CNIC) has 3835 number of wireless devices and corresponding services obtained through a non-competitive task order (N00244-12-D-0015-1). Fleet Logistics Center San Diego (FLCSD) issued this order on 01 October 2012 as a logical follow-on (FAR 16.505(b)(2)(i)(C) to an existing order. It was understood, and set forth in the justification, that CNIC needed four (4) months to transition to a new provider. It had invested \$ in wireless cards and the logical follow-on was designed to maintain required support while new service provider(s) could become Navy/Marine Corps Information Systems (NMCI) compliant. Services will terminate on 31 January 2013.

The qualification process proved to be time consuming and CNIC incurred additional delays not anticipated at the time of the logical extension. For example, CNIC's processing timeline requires submission of the mandated Information Technology Procurement Request (ITPR) approval and oversight authority, submission of the business case analysis, internal funding/spend plan requirements and, internal CNIC Contact Acquisition Management Information System (CAMIS). This process can and will at times add two months to the process.

CNIC cannot tolerate delays and as indicated, no other vendor can provide immediate wireless support in the two months identified for a fair opportunity competition among all contract vendors. Specific harms include but are not limited to: Any service gaps to accommodate transition and NMCI processing will disrupt Navy and Marine Corps Intranet and official e-mail access. This process would leave critical personnel unable to meet their job requirements or fulfill CNIC mission requirements. The transition to new provider would require push of new device drivers and reconfiguration of the Blackberry™ and aircards devices. In addition to negative mission impact, an immediate change would cause significant increase in cost for the new devices. Short-term, these costs would not likely be offset by competition.

CNIC cannot accept any downtime. CNIC's senior military and civilian staff as well as critical for utilize wireless services for operational support. It also provides back-up safety information. CNIC's ability to communicate without service interruption is essential to the OPTEMP of CNIC, and is of paramount importance to meeting CNIC's mission.

Sprint continues to be at the present time the best performing carrier for many CNIC installations. Signal strength and coverage areas are major factors that determine the best value to CNIC. Service is needed in order to support the Emergency Operations and Region Emergency Operations Centers. Emergencies and drills (such as hurricanes, wildfires, terrorism drills and earthquakes) require adequate coverage in critical areas to enable delivery of emergency services.

CNIC will make every effort in the future to communicate more often with NAVSUP Fleet Logistics Center, San Diego when experiencing uncontrollable events and provide timely updates in all future task order requirements to manage effective resource services provided by FLCSD.

CNIC has identified the need to improve upon internal processing efforts by incorporating a checklist provided via NAVSUP Fleet Logistics Center, San Diego wireless website. A detailed timeline for processing will be provided to the CNIC authorizing official to identify critical deadlines and establish better communications with the Contracting Officer to provide status of CNIC's acquisition and procurement process. It is CNIC's intent to become more effective in the acquisition and procurement of wireless services and alleviate undue burden to the NAVSUP Fleet Logistics Center, San Diego.

Every effort will be made to expedite execution of funding and or any additional documentation required to issue a full and open competition award.

5. DETERMINATION OF THE BEST VALUE: The contract did establish the prices for the services required. Therefore, the Contracting Officer has determined, using the procedures in FAR 15.4, that the order represents the best value to meet the Government's needs.

6. DESCRIPTION OF MARKET RESEARCH: The requiring activity and contracting activity have conducted the appropriate market research to support the award. Independent results are on file with the Contract Office. The requiring activity certifies that the requirement is justified and provides supporting documentation which is attached.

7. ANY OTHER SUPPORTING FACTS: This procurement uses the IDIQ MAC and will be solicited and awarded in accordance with FAR Subpart 16.5.

8. ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION: All future requirements will be handled on a case-by-case basis. However, even with a significant procurement action lead time, the logistical process to change the vendor's data/aircards and cell phone devices will be difficult to complete with the limited timeline.