



DEPARTMENT OF THE NAVY

REGIONAL CONTRACTING DEPARTMENT
 NAVSUP FLEET LOGISTICS CENTER PUGET SOUND
 467 W STREET
 BREMERTON, WASHINGTON 98314-5120

CONTROL NUMBER 2012-82

N00244-12-D-0015-GE01

LIMITED SOURCE DOCUMENT JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity.

This is a Limited Source Justification. The requiring activity is the NAVSUP Fleet Logistics Center Puget Sound

2. Description of Action Being Approved.

The proposed acquisition is for a firm-fixed price task order issued off a NAVSUP FLC San Diego multiple award contract to secure continuing Sprint/Nextel voice and data services Command wide at Puget Sound Naval Shipyard & Intermediate Maintenance Facility (PSNS & IMF) Bremerton, WA and various locations worldwide for a base year period of performance to maintain the current 76 Blackberry's and 2448 cell phones for PSNS&IMF.

3. Description of Supplies/Services.

The services sought are for approximately 2524 Blackberries and wireless cellular phones equipped with Sprint/Nextel software and currently owned by the Government. The cost for the service of approximately 2524 wireless devices is (b) (5) for a one year period of performance from 10/01/2012 through 9/30/2013. Funding was secured by Requisition for Contractual Procurement document number N4523A13RC00087, utilizing FY13 O&MN funding. The period of performance is 01 October 2012 through 30 September 2013. The current task order expires under the Spiral-1 wireless MAC contract on 30 September 2012.

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

This acquisition is conducted under the authority of 10 U.S.C. 2304a through 2304d. The statutory authority which permits not providing each awardee a fair opportunity to be considered for each order exceeding \$3,000 issued under a multiple award contract is 10 U.S.C. 2304c, as implemented by FAR 16.505(b)(2) and for orders exceeding \$150,000, DFARS 216.505-70(b)(2).

FAR 16.505(b)(2)(i)(B) Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized:

5. Rationale Justifying Use of Cited Statutory Authority.

The use of the sole source justification based on only one awardee being capable of providing the supplies or services required at the level of quality required due to the uniqueness of the supplies or services ordered is supported by the following logic.

Sprint/Nextel is uniquely positioned to provide contract mandated service during the next fiscal year. This assertion is based on the fact that PSNS/IMF currently owns an aging, out of warranty collection of 2448 cell phones and 76 Blackberry's that are preloaded with Sprint/Nextel software (in addition to SIM cards). As such, the devices are only serviceable by Sprint/Nextel. Because of the age of the devices, Sprint/Nextel provided approximately 200 blank devices on the shelf at no cost to PSNS/IMF for use as replacements for failed phones.

Regarding the competition, neither AT&T nor Verizon can support PSNS/IMF's present need of servicing the cellular phones and Blackberries currently owned by PSNS/IMF. Both companies are only willing to service phones with their respective software programming installed and will not support outdated software. In addition to the serviceability issue the Government had another concern regarding AT&T's performance capabilities.

AT&T's current worldwide coverage is not sufficient to meet the requirements of PSNS/IMF use. PSNS/IMF employees are required to travel throughout the world to various and often remote locations that are not within the serviceable reach of AT&T. Therefore AT&T is not capable of providing the level of service required at this time.

Sprint/Nextel can provide reliable service in accordance with contract parameters on existing PSNS/IMF Cellular devices and will support outdated software for one year only. AT&T and Verizon require the purchase of all new devices to provide the requisite level of service as stated in the statement of work (SOW) of the task order. The purchase of new devices would increase costs, in addition to required porting fees of all new devices and NMCI costs to integrate them into the security database system.

Finally, the PSNS/IMF customers who are supported by the coverage will risk disruption of services such as email access and lines of service if the order is not awarded or the vendor is changed. PSNS & IMF must ensure devices are authorized for use with NMCI. Changes to the provider require NMCI to reconfigure all new devices, which currently takes between one and two months to complete. Thus, a new service vendor cannot be processed through NMCI in time to provide service beginning on 1 October 2012. PSNS & IMF cannot tolerate downtime. PSNS & IMF military and civilian personnel utilize wireless services for operational support and those services are critical to fulfilling mission requirements. PSNS & IMF's ability to communicate without service interruption is essential to the operational tempo of the command and it is of paramount importance to the ability to meet

its mission. In addition to negative mission impact, an immediate change would cause significant unfunded NMCI costs that PSNS & IMF does not have available.

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

No efforts were made for this task order. For the reasons outlined in the previous paragraph, it is in the best interest of the Government to continue receiving wireless cellular support from Sprint/Nextel.

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 Limited Source document to be fair and reasonable utilizing the methodology obtained through recently accepted proposals from the three contractors awarded under the SPIRAL-2 DON Wireless firm-fixed price IDIQ MAC contract.

8. Actions to Remove Barriers to Future Competition.

The original and continued reasoning for utilizing the current contractor, Sprint/Nextel, was its ability to utilize the existing equipment and the availability of service throughout the worldwide locations that the Puget Sound Naval Shipyard and Intermediate Maintenance Facilities (PSNS/IMF) personnel are required to serve. Around late spring of 2013 both Sprint and Verizon are expected to launch new platforms. Both advertise improved service and speed and both will require the purchase of new devices to maximize the performance and features that the new releases will provide. Sprint will support their outdated software and devices used by PSNS and IMF for one year. Next year, Sprint will no longer support these. The follow-on order will be fully competed amongst all multiple award contract vendors to provide for fair opportunity.

Oct 2010

(New page)

J&A or LSJ Number

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:

SEE ATTACHED

Signature	Name (Printed)	Phone No.	Date

Requirements Cognizance:

SAME AS TECHNICAL - SEE ATTA

Signature	Name (Printed)	Phone No.	Date

(If a single individual has cognizance over both technical and requirements information included in the J&A/LSJ, 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
(b) (6)			10/2/12

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.

Signature	Name (Printed)	Phone No.	Date
(b) (6)	M W JEFFRIES	476-2801	10/2/12

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.

Signature	Name (Printed)	Phone No.	Date
(b) (6)	MARY GAMBRIEL	3604769240	10/2/12

See next page for Approval blocks for requirements in excess of \$12.5M.

J&A Number: 2012-82

CERTIFICATIONS AND APPROVALS

TECHNICAL / REQUIREMENTS CERTIFICATION (FAR 6.303-1(c))

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 and do not contain classified information.

TECHNICAL COGNIZANCE
(b) (6)

[Redacted Signature]

GARY S. SKERSTAD 476-8884 9/26/12
Name (Printed) Phone No. Date

REQUIREMENTS COGNIZANCE
(b) (6)

[Redacted Signature]

GARY S. SKERSTAD 476-8884 9/26/12
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, the individual may sign both signature blocks.)

REQUIRING ACTIVITY COMPETITION ADVOCATE (NAVSUPINST 4200.83H)

(Review required if such an individual has been assigned by the requiring activity)

Signature Name (Printed) Phone No. Date