



## DEPARTMENT OF THE NAVY

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

CONTROL NUMBER 2013-12

N00406-09-D-9012 P00007

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

1. Contracting Activity.

NAVSUP Fleet Logistics Center Puget Sound

2. Description of Action Being Approved.

This is an only one responsible source requirement action to be issued as a modification to contract N00406-09-D-9012 awarded to WA State Community College District 3 doing business as Olympic College, Bremerton, WA.

3. Description of Supplies/Services.

This firm-fixed-price indefinite-delivery indefinite-quantity contract was awarded to Olympic College, on 01 September 2009 in the total estimated amount of \$1,695,000.00 for the Base Year with option years 1-4 in the total estimated amount of

(b) (5) The contract was awarded under FAR 12 and 13.5, Commercial Simplified Acquisition Procedures, as a sole source for educational services for the Apprentice Program, the Co-Operative Education Helper Program, and the Employee Development After Hours Program for Puget Sound Naval Shipyard (PSNS) employees.

The modification supported by this J&A is to add additional amounts to the current contract for both the Apprentice Program and the Cooperative Education Helper Program for Spring Quarter, Option Year 3. The modification is necessary due to the following: All Winter Quarter students moving forward to Spring Quarter; the "final" students hired under the Student Career Experience Program; additional students moving forward to Spring Quarter for the Apprentice Program and higher than forecasted cost per class credit hour for tuition and fees for technology, laboratory and security enhancement. The total estimated value of this modification is (b) (5) for Option Year 3 Spring Quarter. The current estimated contract amount will increase

from \$8,212,000.00 (Base year plus three exercised option years) to (b)(5). Contract funding shall be the applicable fiscal year O&MN for each task order.

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

10 U.S.C. 2304(c) (1), Only one responsible source.

**5. Rationale Justifying Use of Cited Statutory Authority.**

Under the subject contract, Olympic College is the only responsible commercial source and no other supplies or services will satisfy the agency requirements, as implemented by FAR 6.302-1. In addition, the State of Washington does not permit another public Community College to infringe on the area considered belonging to Olympic College, thus prohibiting other Community Colleges from providing instructor's services provided Olympic College is able to provide them. The Spring Quarter 2013 estimate for the Apprentice Program SUBCLIN 3002AC is (b)(5) and the Cooperative Education Program Fees, SUBCLIN 3003AC is (b)(5). The estimates exceed the maximum order quantity for SUBCLIN 3002AC, Apprentice Program and 3003AC, Cooperative Education Helper Program tuition/fees. The maximum order quantity for Apprentice Program in the basic contract SUBCLIN 3002AC is \$250,000.00 and the Cooperative Education Helper Program SUBCLIN 3003AC is \$225,000.00. This quantity increase is due to tuition increase per credit hour in FY2013 than originally forecasted at time of contract award in 2009. In addition, the increase of students from Winter Quarter 2012 has moved forward to Spring Quarter along with the final "push" of students hired under the Helper Program. The original forecast for per credit hour cost in 2009 was \$86.00 per credit hour for 500 students at five credits. However, the current cost per credit hour and number of students attending has risen to \$106.84 per credit hour for approximately 877 students (total between Apprentice and Helper Program at approximately 6 credits each. The total additional quantities ordered by PSNS & IMF for the Spring Quarter 2013, Apprentice and Cooperative Education Helper Program are estimated in the amount of (b)(5) and (b)(5) respectively. All additional quantities are required to be in place prior to commencement of the Spring Quarter 2013 on 04 March 2013 to avoid costly delays to the program completion. The services required in this modification are for the same services currently being performed on the basic contract.

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

The proposed modification to the contract will be synopsisized on the NECO website per FAR 5.201. No additional market research was conducted for this modification because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Olympic College to provide the additional required services.

**7. Determination of Fair and Reasonable Cost.**

The contracting officer has determined the anticipated cost to the Government of the services covered by this J&A will be fair and reasonable.

**8. Actions to Remove Barriers to Future Competition.**

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

**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/Requirements Cognizance:**

SEE ATTACHED  
\_\_\_\_\_  
Signature                      Name (Printed)                      Phone No.                      Date

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient.

(b) (6)  
[Redacted Signature]

Chris Lybeck    360-476-5754    2/22/13  
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.

(b) (6)  
[Redacted Signature]

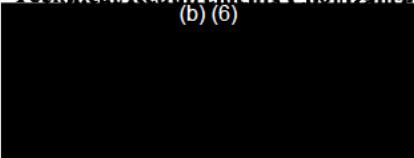
VIRGINIA DASHIELL    360-476-7175    2/25/13  
Name (Printed)                      Phone No.                      Date

**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/Requirements Cognizance:  
(b) (6)



*Thomas Langdon* 416-9186 2-25-13  
Name (Printed) Phone No. Date

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient.

\_\_\_\_\_  
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.

\_\_\_\_\_  
Signature Name (Printed) Phone No. Date