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

1. Contracting Activity.
Naval Facilities Engineering Command (NAVFAC) Europe, Africa, and Southwest Asia (EURAFSWA), Public Works Department (PWD), Bahrain

2. Description of the Action Being Approved.

NAVFAC EURAFSWA, PWD, Bahrain requests that the existing contract N33191-11-D-0738, Base Operations Support Services for Bahrain, be extended for the period of three months (1 December 2016 to 28 February 2017), with two three-month options to extend up to an additional ninety (90) calendar days each, for a proposed total of up to nine months. The options will only be exercised in the case where there are unexpected extenuating circumstances in awarding the follow on contract later than 1 December 2016 or should a post-award protest is received N33191-11-D-0738 is a Recurring/Non-Recurring (FFP/IDIQ) contract that was awarded to Centerra Group LLC (originally WSI Government Solutions Inc.) 29 September 2011, with a service start date of 1 December 2011 in the amount of $14,559,871.94, with a base period (12 months) and four option periods (12 months each). This contract currently supports one hundred forty seven (147) customers/tenant commands by providing base operations support services for Bahrain. The base period, and each option period, has been exercised for this contract. The final period of performance will end 30 November 2016.

3. Description of Supplies/Services.

Contract N33191-11-D-0738 provides all necessary labor, supervision, management, tools, materials, equipment, facilities, transportation, incidental engineering, and other items necessary to provide the base support services required by Naval Support Activity (NSA) Bahrain and other locations within the Kingdom of Bahrain. The contract is in a Performance Work Statement format, comprising of annexes supporting the following requirements:

Annex 1 General Information
Annex 2 Management and Administration
Annex 4 Public Safety
- Specification 0401060 – Security Operations

Annex 13 Galley
- Specification 1300000 – Galley

Annex 15 Facilities Support
- Specification 1501000 – Facility Management
- Specification 1502000 – Facility Investment
- Specification 1503010 – Custodial Services
- Specification 1503020 – Pest Control Services
- Specification 1503030 – Integrated Solid Waste Management (Refuse and Recycling Services)

Specification 1503050 – Grounds Maintenance and Landscaping

Annex 16 Utilities
Specification 1604000 – Wastewater
Specification 1606000 – Water (RO Plant and Distribution System Operation and Maintenance)
Annex 17 Base Support Vehicles and Equipment (BSVE)
Specification 1700000 BSVE (Shuttle and School Bus Services)

This contract supports one hundred forty-seven (147) customers/tenant commands that are comprised of eight thousand five hundred (8,500) Department of Defense personnel, to include Naval Forces Central Command (NAVCENT). Additionally, dependents, Foreign Service members and visiting ships/Aircraft Carriers can bring up to 6,000 additional personnel on the installation.

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

Under the authority of 10 U.S.C. 2304(c)(2) as implemented in FAR 6.302-2 – Unusual and Compelling Urgency, PWD Bahrain requires an extension to the base operations support services contract provided by contract N33191-11-D-0738 for NSA Bahrain, Isa Air Base, and areas throughout the Kingdom of Bahrain and the United Arab Emirates (Jebel Ali).

> FAR 6.302-2 (2) When the agency's need for the property or services is of such an unusual and compelling urgency that the United States would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals, full and open competition need not be provided.

Limitation of competition under c(2) requires the agency to request offers from as many potential sources as is practicable under the circumstances. In this case, only one responsible source will satisfy agency requirements.

- For DoD, NASA, and the Coast Guard, services may be deemed to be available only from the original source in the case of follow-on contracts for the continued provision of highly specialized services when it is likely that award to any other source would result in--
- (A) Substantial duplication of cost to the Government that is not expected to be recovered through competition, or
- (B) Unacceptable delays in fulfilling the agency's requirements. (See 10 U.S.C. 2304(d)(1)(B).)

5. Rationale Justifying Use of Cited Statutory Authority.

There is an unusual and compelling urgency which precludes full and open competition and a delay in award of a contract would result in serious injury, financial or other, to the agency, The request for the extension of the existing contract N33191-11-D-0738 for the period of 1 December 2016 to 28 February 2017 is not a result of lack of advance planning by the requiring

activity. The term of the existing contract ends on 30 November 2016. Solicitation N62470-15-R-4006, Base Operations Support Services for Bahrain, was advertised on 23 February 2016 as a full and open solicitation for the purpose of providing a follow on contract to the existing services. The proposal due date was 8 April 2016 to allow sufficient time for the contract to be awarded. Amendments 01 through 13 for solicitation N62470-15-R-4006 were issued.

If there is a gap in these services, the tenants at NSA Bahrain, including visiting ships assigned to the Fifth Fleet Area of Responsibility (AOR) will immediately cease to receive critical life-sustaining services necessary to continue operations. Services such as clean potable water supply (Reverse Osmosis Plant operation), adequate water supply for non-potable usage, solid waste removal, and sewage/wastewater removal will stop which will dramatically and immediately reduce quality of life, severely limit operational capability, and cause major health concerns across all supported sites. Other services such as custodial cleaning and preventive maintenance on building systems (HVAC) will also stop, which will negatively impact critical operations if sensitive equipment is not cooled properly and dust from the environment is allowed to accumulate inside the facilities. Lastly, other services such as bus services for the Department of Defense Dependent School (DoDDS) will cease, impacting not only the operational mission of NAVCENT/5th Fleet and subordinate commands, but the Department of Defense Education Activity (DODEA) and others as well.

NSA Bahrain is home to U.S. Naval Forces Central Command (NAVCENT) and the U.S. 5th Fleet. It provides operational support to U.S. and Coalition Forces operation throughout the CENTCOM area of responsibility, ensuring security to ships, aircraft, detachments, and remote sites. The current contract also provides services at Isa Air Base, Bahrain, an expeditionary Forward Operating Site, as well as Jebel Ali, United Arab Emirates, and a Cooperative Security Location. Introducing a new contractor into this environment will result in a substantial duplication of cost to the Government and could jeopardize mission readiness for NSA Bahrain. To integrate any other contractor would create a detrimental learning curve that would be cost prohibitive. Any new contractor would not be able to mobilize, receive base access approvals, understand the base operations, and be fully proficient within the performance period of this contract action without significant additional costs to the Government.

Extending the existing contract N33191-11-D-0738 for the period of three months (1 December 2016 to 28 February 2017), with the potential for two additional three-months periods of service (1 March 2016 to May 31 2017 and June 1 2017 to 31 August 2017) due to possible unknown delays, will allow for the minimization of impact to base operations support services as the procurement team continues in the source selection process. As stated above in paragraph 2, the options will only be exercised in the case where there are unexpected extenuating circumstances in awarding the follow on contract later than 1 December 2016 or should a post-award protest is received. The extension will also allow for the requested sixty day phase-in/phase-out transition period between the existing and follow-on contractor. The length of this contract action is consistent with the unknown long term procurement process prior to and after basic contract award.

The Procuring Contracting Office has indicated that the delay in awarding the follow-on contract is due to changes in requirements, the ongoing source selection process and discussions with offerors.

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

Solicitation N62470-15-R-4006, Base Operations Support Services for Bahrain, is the follow on contract synopsized 5 February 2016, with a full and open solicitation posted on 23 February 2016 with an initial proposal due date of 8 April 2016. Amendments 01 through 13 were issued, and the final proposal due date was revised to 26 April 2016. On-going source selection process tasks and discussions with offerors has resulted in a delayed award.

7. Determination of Fair and Reasonable Cost.

The total estimated value for this J&A is $12,000,000 (nine total months of services). The estimated value for the 3 month base is $4,000,000, and each 3 month option is $4,000,000.

The NAVFAC EURAFSWA Contracting Officer will ensure that negotiated costs of the supplies/services covered by this J&A will be fair and reasonable. The Contractor's proposal will be compared to the Independent Government Estimate, historical data for similar services, market conditions and published estimating resources.

8. Actions to Remove Barriers to Future Competition.

The follow on contract has been solicited as N62470-15-R-4006 and is being competed as full and open, allowing maximum competition. This bridge to the existing contract N33191-11-D-0738 is an interim measure until the delays to award of the current solicitation are resolved.

JUSTIFICATION AND APPROVAL #17-01JA
CONTRACT #N33191-11-D-0738

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:

Gene Simpson-Clifton
FSC Specialist PWBL
NAVFAC EURAFSWA
DSN 314-626-7719

20 Oct 2016
Date

Requirements Cognizance:

Tyson Fennern, LT
FEAD Director, PWD Bahrain
DSN 318-439-4319

20 Oct 2016
Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

Patricia Walter
Associate Legal Counsel
DSN 314-626-2277

Date

JUSTIFICATION AND APPROVAL #17-01JA
CONTRACT #N33191-11-D-0738

CERTIFICATIONS AND APPROVAL

ECH IV CHIEF OF CONTRACTING OFFICE APPROVAL

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

Renee M. Comfort
Renee Comfort
Chief of Contracting
NAVFAC EURAFSWA
DSN 314-626-7713

10/20/2016
Date

ECHELON IV COMMANDING OFFICER APPROVAL

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

Brian Weinstein, CAPT
Commanding Officer (Acting)
NAVFAC EURAFSWA
DSN 314-626-7700

10/20/2016
Date

JUSTIFICATION AND APPROVAL #17-01JA
CONTRACT #N33191-11-D-0738

CERTIFICATIONS AND APPROVAL

ECHELON III CHIEF OF THE CONTRACTING OFFICE

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

10/21/2016
Date

Patricia Kellihan
Chief of the Contracting Office
NAVFAC ATLANTIC

ECHELON III COMMANDER CERTIFICATION:

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

24 OCT 16
Date

CAPT C. S. WILLMORE
Commander (Acting)
Naval Facilities Engineering Command Atlantic

ECHELON II DEPUTY COMMANDER FOR ACQUISITION

Upon the basis of the above justification, I hereby approve the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304 (c)(2).

10-25-16
Date

Cindy Readal
Deputy Commander for Acquisition
Naval Facilities Engineering Command