

DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING AND EXPEDITIONARY WARFARE CENTER
1000 23RD AVENUE
PORT HUENEME CA 93043-4301

IN REPLY REFER TO:
ACQ72/JA-15-007

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

1. Contracting Activity. The requiring activity is Naval Facilities Engineering Command (NAVFAC) Anti-Terrorism Force Protection Ashore (AT/FP-A) Program Management Office (PMO), NAVFAC Expeditionary Warfare Center (EXWC), Port Hueneme, California, Capital Improvement Branch – AT/FP Division. The contracting activity is NAVFAC EXWC Acquisition ACQ72, Port Hueneme, California. The EXWC point of contact is Mr. William J. Hepler, who can be reached at DSN 551-3872 or commercial (805) 982-3872.
2. Description of the Action Being Approved. Approval is sought to modify the existing AT/FP-A PMO support contract to provide an additional six months to the ordering period. This additional time was not considered or evaluated when the contract was awarded, necessitating this justification and approval (J&A) to comply with the Competition in Contracting Act. The contract is N62583-12-D-0739 to Integrity Consulting Engineering & Security Solutions LLC.
3. Description of Supplies/Services
 - a. NAVFAC AT/FP-A, through the use of the AT/FP PMO support contract, provides support for AT/FP-A acquisition (DOD 5000), systems engineering, information technology, integrated logistics support, and Facilities Engineering Command at various navy installations worldwide. The work entails a wide variety of program management, systems engineering, technical, execution, logistical, and sustainment management support to facilitate the planning, execution and sustainment of all systems being implemented or to be implemented under the NAVFAC AT/FP-A Program. The provided services include all aspects of AT/FP-A project execution from inception through final closeout. These services are ongoing and require logical follow-on efforts to support implementation. This J&A documents a time extension of these services to meet the AT/FP-A program requirements.
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(c)(1), as implemented by FAR 6.302-1, and 10 U.S.C. 2304(c)(2), as implemented by FAR 6.302-2. FAR 6.302-1 permits other than full and open competition when only one responsible source and no other suppliers or services will satisfy agency requirements. FAR 6.302-2 permits other than full and open competition when there is an unusual and compelling urgency.

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

5. Rationale Justifying Use of Cited Statutory Authority

- a. A solicitation (No. N39430-15-R-1605) has been issued for a follow-on contract for future work currently performed under indefinite delivery, indefinite quantity (IDIQ) contract N62583-12-D-0739. However, this re-procurement process will not be completed until after the current ordering period expires. The final ordering period on the current contract ends 14 March 2015. A six-month extension of the ordering period (from 14 March 2015 through 14 September 2015) would allow time to complete the competitive follow-on procurement without a gap in service in order to meet the critical needs of the AT/FP-A program.
- b. The agency had a Plan of Action and Milestones (POA&M) to award the follow-on contract without the need to extend the current contract but fell behind due to circumstances beyond the control of the agency. Recent budget cuts hindered the agency's ability to hire new employees to support the AT/FP-A program and employees left through natural attrition, which left the agency without adequate personnel to execute the mission in a timely manner. Moreover, due to ongoing budget uncertainty since the award of the current AT/FP-A PMO support contract, additional time was spent to reexamine the performance work statement (PWS) to ensure alignment with stakeholder needs and budgetary constraints. As a result of this analysis, the PWS and acquisition plan was reconfigured to change the contract type from cost plus fixed fee (CPFF) to firm fixed price (FFP), but insufficient time remains to award the follow-on contract prior to the end of the current ordering period.
- c. The solicitation was originally planned for release in October 2014. This was partly delayed due to a scope complexity that required iterative coordination with the AT/FP-A PMO at NAVFAC Headquarters (HQ) and EXWC Contract Review Board (CRB) to obtain requisite acquisition plan approvals prior to release of the solicitation. As a result of the initial CRB review, the PWS and acquisition planning documents had to be completely reworked to accommodate transition from CPFF to FFP. Loss of key subject matter experts due to attrition, including the advisory acquisition point of contact at NAVFAC HQ, further delayed rework to the PWS. Ultimately, the revised solicitation was released to industry on 4 March 2015. The most current POA&M plans for contract award in August 2015. The additional time anticipates discussions with offerors and a mobilization period of approximately one month.
- d. A lapse in the contract would leave the AT/FP-A program without the required services necessary for execution and sustainment to carry out full mission readiness capability. The services currently provided by this contract are critical to the performance of the AT/FP-A program. AT/FP-A plans and executes projects that provide necessary security solutions at Naval Installations around the world. The program office requires uninterrupted support for ongoing projects (over 100 projects in planning and 940 in sustainment) and the ability to immediately respond to emergent threats. A gap in PMO support services would create an unacceptable security risk, potentially resulting in a failure of the AT/FP-A equipment to meet operational availability requirements, leaving mission-critical assets and personnel vulnerable to natural disasters, acts of terrorism and other human-caused disasters. The following is a list of specific tasks provided by the PMO support services along with the description of the impact of a gap in service:

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

- Inability to update project status in Remedy that identifies AT/FP-A assets for sustainment, resulting in potential loss of operational availability and vulnerabilities to both personnel and property.
- Inability to update and implement Business Management System (BMS) processes which adversely impact project execution.
- Inability to track and manage open trouble tickets and waiver submissions resulting in failure to provide effective sustainment oversight and potential loss of operational availability for critical AT/FP-A assets.
- Inability to support the transition of completed AT/FP-A systems to CONUS and OCONUS installations.
- Inability to route and complete Contract Data Requirement Lists at the Navy installation level (N3/N6/ Public Works) resulting in acquisition delays for contracted projects.
- Inability to effectively schedule parties required for system operational verification testing, resulting in Government delay in equipment acceptance and potential contractor claims.
- Inability to track and monitor Project Deviation Report submittals which may cause delays in obtaining funding and increase processing of engineering change proposals.
- Inability to provide program management and technical support that may delay future AT/FP-A acquisitions to include Information Technology Procurement Request, Anti-deficiency Act certification, Program Management Office-Facilities Engineering Command Checklist, and support agreements further impacting project installation and deployment of systems in support of the implementation of the Roll-out Plan.
- Inability to maintain an accurate project list which may result in a failure to effectively manage projects across life cycle.

e. The incumbent contractor is the only contractor that holds a competitively awarded contract that also has the requisite knowledge and resources to perform the required services without interruption until the follow-on contract can be awarded. The incumbent contractor possesses the trained/certified manpower/subcontractors and skill levels to continue performance without a learning curve, gap in service, or additional phase-in/mobilization requirement, including CAC cards and NMCI systems access. Award to any other source would result in unacceptable delays in fulfilling the agency's requirement. The contractor possesses the necessary manpower and the contractor's personnel have the experience and skill levels to continue performance without a learning curve or gap in service. This contract requires the contractor's personnel to be intimately familiar and comply with NAVFAC's internal operating procedures as published in the BMS. A wholesale replacement of the entire incumbent staff would seriously impact the mission of the AT/FP-A program, while the new personnel attempted to learn the processes while attempting to manage new and ongoing projects.

f. The agency needs a contract in place before the ordering period on the current IDIQ contract ends. With the time remaining between now and 14 March 2015, putting a new contract in place is not viable. The most reasonable option to fill the gap between the current contract and the follow-on is to extend the current contract.

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

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

a. NAVFAC EXWC Acquisition is currently in the process of competitively procuring the follow-on AT/FP-A PMO contract as a single award IDIQ contract with FFP task orders for an estimated amount of \$25,000,000 over five years. The planned award date is August 2015. With an additional month for continuity of services turnover, there is a need for a six-month extension period. While no increase in overall capacity is required, the estimated amount of this six month period will be under [REDACTED].

7. Determination of Fair and Reasonable Cost. The Contracting Officer will determine fair and reasonable proposed cost to the government for services covered by this J&A on an individual task order basis using FAR Part 15 procedures.

8. Actions to Remove Barriers to Future Competition. It is anticipated a competitively awarded firm fixed price, indefinite delivery indefinite quantity single award contract will be made by September 2015 by NAVFAC EXWC Acquisition.

Estimated Timeline for new AT/FP PMO follow-on procurement by EXWC Acquisition:

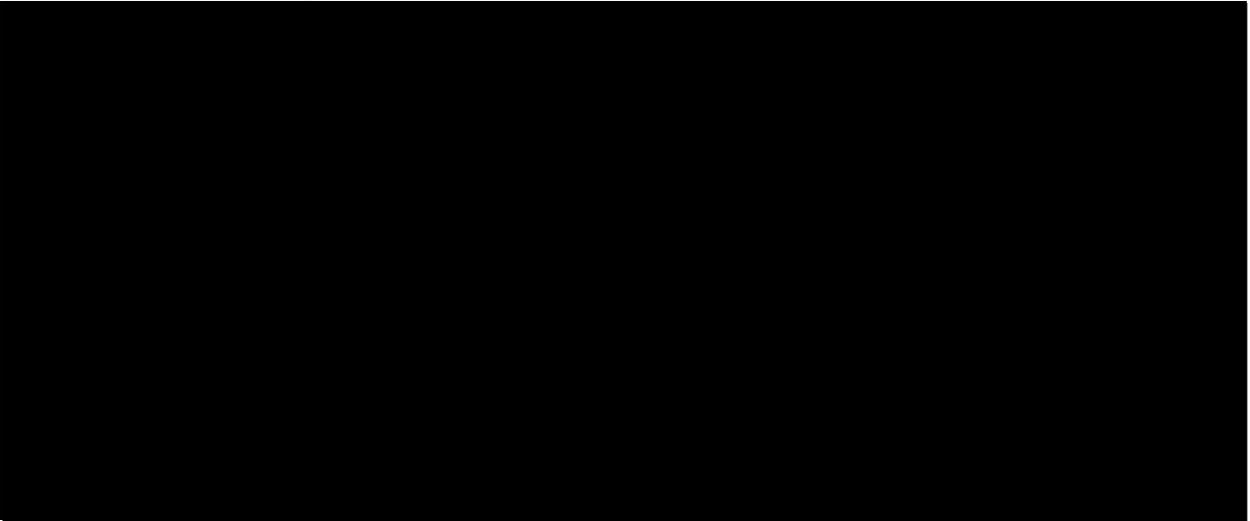
- Sources Sought Notice: 27 March 2014
- Request for Proposals: 04 March 2015
- Offers Close: 16 April 2015
- Source Selection: 18 May 2015
- Discussions: 1 June 2015
- Final Proposal Revisions: 15 June 2015
- Source Selection: 6 July 2015
- Final Source Selection Decision Document: 27 July 2015
- Award: 17 August 2015

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

CERTIFICATIONS AND APPROVAL

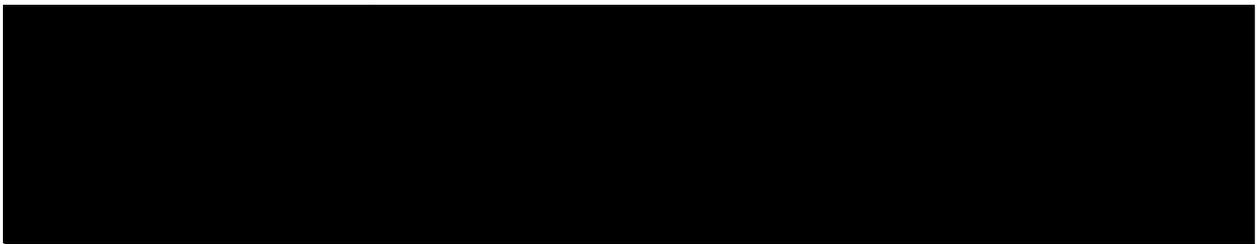
TECHNICAL and REQUIREMENTS CERTIFICATION

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.



LEGAL SUFFICIENCY REVIEW

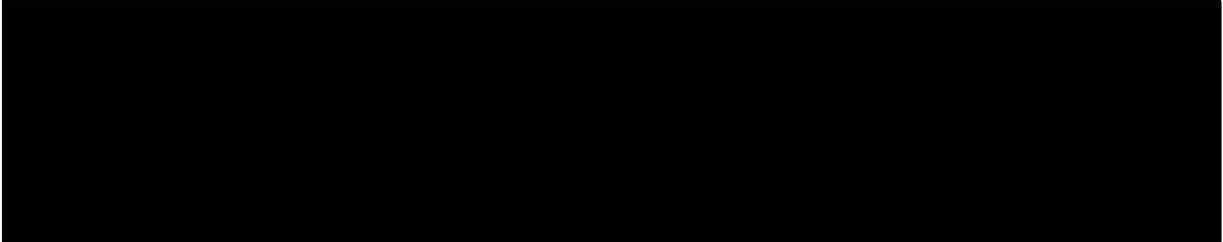
I have determined this Justification is legally sufficient.



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

CONTRACTING OFFICER

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



APPROVAL:

Upon the basis of the above justification, I hereby approve the proposed procurement described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304 (c)(1).

