



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHEAST
JACKSONVILLE, FL 32212-0030

J&A Number: N69450-16-0215
 Contract Number: N69450-11-D-0758

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

1. Contracting Activity. The contracting activity is Naval Facilities Engineering Command Southeast (NAVFAC SE).

2. Description of the Action Being Approved. The action being approved under this J&A is a modification to extend current contract N69450-11-D-0758 for a six month period in accordance with Federal Acquisition Regulation (FAR) 52.217-8 (Option to Extend Services). This is a facilities support indefinite quantity contract for Base Operations Support (BOS) services at Naval Air Station (NAS) Joint Reserve Base (JRB) New Orleans; Naval Support Activity (NSA) New Orleans; and Naval Operation Support Center (NOSC) Shreveport, LA. The contractor is Facility Services Management, Inc., 1031 Progress Dr., Clarksville, TN 37040-5359.

3. Description of Supplies/Services. The BOS services to be performed include Facility Investment, Integrated Solid Waste Management, Other (swimming pools), and Utilities (electrical, gas, wastewater, water and steam).

The period of performance for this action is 15 July 2016 through 14 January 2017. This includes a two and a half month base period and one three and a half month option period, for a total not to exceed six months. The estimated dollar values for the proposed periods of performance are shown in the table below:

Period of Performance	FFP	IDIQ	Total
15 Jul 2016 – 30 Sep 2016 (Base)	██████████	██████████	██████████
1 Oct 2016 – 14 Jan 2017 (Option 1)	██████████	██████████	██████████
Total	██████████	██████████	██████████

The estimated cost for this action was derived from the value of the current period of performance, escalated by 1.70% in accordance with the Unified Facilities Criteria (UFC) 3-701-01 DoD Facilities Pricing Guide, Change 10, dated May 2016 and 2016 Operation and Maintenance Escalation Rates.

The contract is funded by the following types of funds:

- Operations & Maintenance, Navy and Navy Reserve
- Operations & Maintenance, Marine Corps Reserve
- Operations & Maintenance, Army and Army Reserve
- Navy Working Capital Fund
- Defense Health Program Fund
- Military Construction, Navy

4. Statutory Authority Permitting Other Than Full and Open Competition. This acquisition will be negotiated pursuant to 10 USC 2304(c)(1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, as implemented by FAR 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority. The proposed extension to contract N69450-11-D-0758 is required due to a timely protest received on the competitive follow-on procurement. The follow-on contract, N69450-16-D-2120, was competed as a total small business set-aside and awarded on 13 June 2016. The contract includes a 30 day transition period for the successful offeror to mobilize before the planned start date of 15 July 2016. However, NAVFAC SE received a timely GAO protest from an unsuccessful offeror on 22 June 2016. In accordance with FAR 33.104(c)(1), when the agency receives notice of a timely protest from the GAO, the Contracting Officer shall immediately suspend performance.

The current contract, N69450-11-D-0758, was awarded with a one-year base period and four one-year option periods. The fourth and final option period expires 14 July 2016. It is critical to the overall Navy's mission that services under this contract be maintained until the protest can be resolved and performance under the follow-on contract can begin.

The estimated length of the delay is between 75 and 180 days. This estimate was derived based on the time required to: respond to the protest, GAO to issue a decision, address any potential corrective action and proper contractor transition/phase-in. This delay is unacceptable because it represents a gap in contractual coverage and mission essential services. All required base operations support services to be performed under the authority requested by this J&A are critical requirements which the Navy needs in order to continue its mission.

The incumbent contractor, Facility Services Management, Inc., is presently the only known company that can perform these services without interruption. Facility Services Management, Inc. possesses the manpower and skill levels to continue performance without a learning curve, break in service, or any additional phase-in/mobilization requirements. Award to any other source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition and unacceptable delays in fulfilling the agency's requirements. The Government would not be able to recoup duplicated costs associated with start-up including mobilization, employee badging and security clearances, uniforms, hiring key personnel and subcontractors, inventory accounting and all other associated start-up costs if a new contract were to be competed.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable. Upon approval of this J&A, the proposed action will be synopsisized on the Government wide Point of Entry (GPE) as a sole source extension of contract N69450-11-D-0758 to Facility Services Management, Inc. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Facility Services Management, Inc. to provide the required services.

7. Determination of Fair and Reasonable Cost. The Contracting Officer has determined the cost to the Government for services covered by this J&A will be fair and reasonable. The Government will use competitive pricing received for the follow-on procurement as a basis for negotiating this sole source extension of contract N69450-11-D-0758.

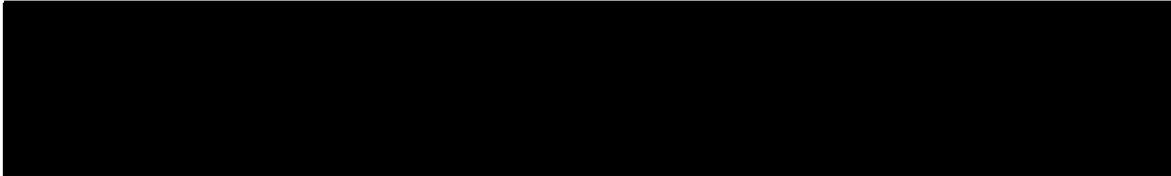
8. Actions to Remove Barriers to Future Competition. The follow-on contract was solicited as a total small business set-aside with thirteen proposals received. Upon receipt of GAO's final decision on the protest, the Government will take all reasonable measures to address any findings from GAO and start performance of the follow-on contract as expeditiously as possible to prevent any additional bridge contract actions. There are currently no further actions required to remove barriers to future competition.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

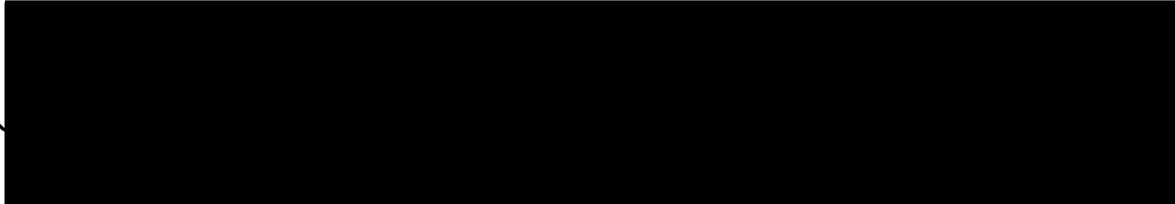
I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical and Requirements Cognizance:



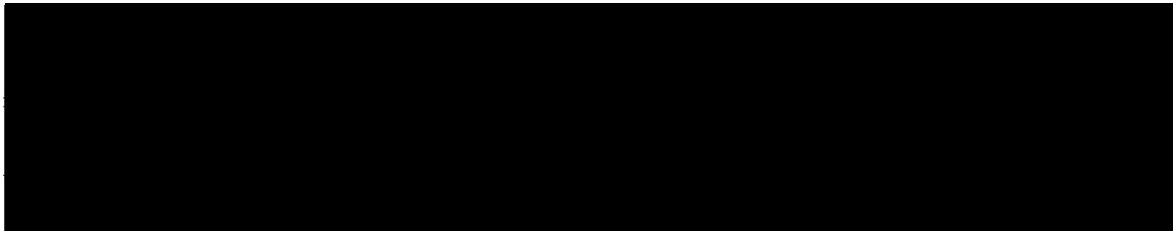
LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.



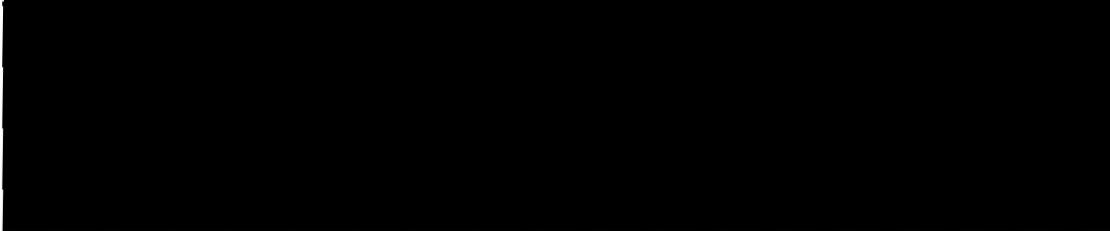
CONTRACTING OFFICER CERTIFICATION

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



ECHELON IV CHIEF OF THE CONTRACTING OFFICE CERTIFICATION

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



ECHELON IV COMMANDING OFFICER APPROVAL (NFAS 6.304)

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)(1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

