

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION (JOFOC)

(In accordance with Federal Acquisition Regulation (FAR) 6.3 – Other than Full and Open Competition)

1. This document is a justification for other than full and open competition prepared by NASA's Goddard Space Flight Center (NASA's GSFC):

NASA Headquarters proposes to extend contract NNH08CC19C with the American Society for Engineering Education (ASEE) for the management and operation of NASA's Aeronautics Scholarship Program. The scholarship program is operated by the Aeronautics Research Mission Directorate to provide scholarships focused on aeronautical research and related degree programs at both the undergraduate and graduate levels. This document justifies the determination for using other than full and open competition.

2. The nature and/or description of the action being approved:

NASA Headquarters proposes to extend contract NNH08CC19C with the American Society for Engineering Education (ASEE) for the management and operation of NASA's Aeronautics Scholarship Program. The scholarship program is operated by the Aeronautics Research Mission Directorate to provide scholarships and internships focused on aeronautical research and related degree programs at both the undergraduate and graduate levels. The original contract included a period of performance of 5 years (November 14, 2007 through November 13, 2012). It was originally anticipated that neither an additional time extension of the current contract nor a direct follow-on procurement would be required, as the Agency was developing a broader procurement strategy to align similar scholarship programs into an agency-wide procurement solution. However, due to delays in developing this broader strategy, it was necessary to issue a no-cost extension modification extending the contract through February 13, 2013 (3 months) in accordance with Clause I.52 of the contract – FAR 52.217-8 Option to Extend Services (Nov 1999), under Modification 10 to the subject contract.

The Agency's Office of Education has experienced significant delays in defining the new scholarship/fellowship model and is currently in the process of determining the implementation strategy for this model including the awarding or modifying of current agency-wide contract/contracts/or grants for the operations, award and management of its various scholarship/fellowship and internship programs. In order to continue providing scholarships while the implementation details are finalized and the procurements implemented, it is necessary to extend the current contract for an additional 3 months beyond the current period of performance (through May 13, 2013). This extension will provide the current contractor time to complete the evaluation process of prospective scholarship applicants in response to the current call for the fall session, and coordinate the summer interns. This will also provide for sufficient time to process the stipends for the students which occur in the April/May timeframe. Allowing these activities to be completed by the existing contractor creates a logical break in NASA's requirements between the current contract and a new contractor. This logical transition time would increase the likelihood of successful transition of responsibilities between the contractors and

assure that NASA's requirements for the management and operation of the program are successfully accomplished.

Not extending the contract would require NASA to compete and award a bridge contract to perform the existing functions for a short time and then transition these services to the successful Agency-wide vendor/vendors resulting in expenditure of resources and greatly increasing the risk associated with the successful implementation of this program. NASA must ensure program continuity to meet the continuing needs to the nation's aeronautics and space effort by increasing the number of highly trained scientists and engineers in aeronautic research related disciplines, and to broaden the base of students pursuing advanced degrees in science, mathematics, and engineering.

Currently, there are 53 students in various stages of the program. There are currently 20 first-year undergraduate students, 20 second-year undergraduate students, 5 first-year graduate students, 5 second-year graduate students, and 3 third-year graduate students enrolled in the program. As can be seen from this distribution, the program is a multi-year program for both undergraduate and graduate students nominally, two years for undergraduate students, and two or three years for graduate students. When a scholarship or fellowship is awarded to the students, it is NASA's obligation to fund the student for the full program for either two or three years. It is not in NASA's best interest to end any of the students programs early if the student meets the requirements of the program. NASA would be seen as not meeting its implied commitment to the students that was agreed upon at time of award. The award of this extension will provide a smooth transition from this contract to the new Office of Education agency scholarship/fellowship model. The Office of Education model is currently being implemented and cannot currently handle the transfer of the aeronautics scholarship program since it does not have the vehicles in place to meet the needs of the current program. The delay in the implementation of the new Agency Office of Education program has resulted in the need for this extension. This extension will allow the orderly transition at the earliest suitable time for the program to the new vehicle or vehicles.

3. Description of the supplies or services required, including an estimated value:

The estimated value of the extension period is \$332,000. This estimate includes the routine administrative costs of managing the program at \$47,000, in addition to the payment of pre-established stipends to students in the amount of \$285,000 which occur in the April/ May 2013 timeframe.

4. Statutory authority permitting other than full and open competition:

The statutory authority for procuring this requirement by other than full and open competition is 10 U.S.C. 2304(c)(1), as implemented by FAR 6.302-1, Only One Responsible Source and no Other Supplies or Services will Satisfy Agency Requirements.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:

A sole-source award to ASEE is necessary due to the nature of the work to be performed and because NASA is currently in the decision making process to determine the strategy for meeting the Agency's scholarship program needs. ASEE is the only contractor that has the status of all the students along with all data related to these students. It would take significant resources to transition this contract to a new vendor given the number of students, all in various states of payment and years in the program. No other company has provided this service previously so no other company has a direct link or application to this specific program. Should these services be interrupted, NASA will be unable to continue with this program and likely receive congressional inquiries as to the loss of service to these students and questions as to why NASA has stopped a previously congressionally requested activity, the aeronautics scholarship program. A sole source synopsis was posted for this extension and resulted in no responses.

6. Description of the efforts made to ensure that offers are solicited from as many potential sources as practicable, including whether a notice was or will be publicized as required by Federal Acquisition Regulation (FAR) 5.2:

This action was synopsised in NAIS and Fed BizOpps on January 16, 2013. No responses were received to the notices.

7. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable:

The Government will validate Contractor costs through research and comparison of other government sources such as federal labor rate catalogs, DCAA, and published web data. The Contracting Officer (CO) can determine prices fair and reasonable based on established prices for similar supplies/services. The CO will obtain and analyze a detailed cost proposal from ASEE. The CO will compare the cost proposal to historical actual costs under the current contract. The CO will obtain a technical evaluation and use the information above to negotiate and establish a fair and reasonable price.

8. Description of the market research conducted, and the results, or a statement of the reasons market research was not conducted:

ASEE is the only organization to have ever operated this scholarship/fellowship program. It is the only vendor familiar with the operation and status of the students in this program. It is the only vendor with an approved and validated computer security plan in regards to this program. The program has a valid OMB paperwork reduction number for obtaining data on the students. The paperwork for this data specifically mentions the current vendor.

9. Other facts supporting the use of other than full and open competition:

ASEE has successfully performed the requirements of this contract for the past five years. ASEE has had exemplary performance in the operation of this contract never missing a call or payment to the

students. ASEE was able to start the program on an abbreviated basis to have it start the first cycle and has operated the program with no major issues for the life of the program. No other source possesses the specific details or knowledge of the operation or current status of all components of this program.

10. Sources, if any, that expressed an interest, in writing, in the acquisition:

No responses were received.

11. The actions the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:

As NASA determines their final implementation strategy for meeting the Office of Education Agency-wide scholarship/fellowship program model needs, competition will be conducted in accordance with that strategy in order to maximize competition while meeting the agency objectives.

Signature Page

CONTRACTING OFFICER:
(APPROVAL)

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

Amanda Healy
Signature

2/13/13
Date