

**National Aeronautics and Space Administration
Ames Research Center
Moffett Field, California 94035-1000**

Justification for Other than Full and Open Competition
[FAR 6.303-2(a)(1)]

Summary Information:

Initiating Office: NASA Ames Research Center
Procurement Division (Code JAC)

Purchase Request No.: 4200301939

Procurement Title: Ames Research Center Information Technology Services &
Support 2 (ACITS 2)

Total Estimated Value: **FOIA Exemption 5**

Period of Performance: February 1, 2010, through November 30, 2010

Statutory Authority: 10 USC 2304(c)(1), *Only One Responsible Source and No Other
[FAR 6.303-2(a)(4)] Supplies or Services Will Satisfy Agency Requirements*

This Justification for other than full and open competition has been prepared in accordance with the requirements of Federal Acquisition Regulation (FAR) 6.303 and NASA FAR Supplement 1806.303.

Detailed Information:

A. Nature and/or description of the action being approved. [FAR 6.303-2(a)(2)]

The NASA Ames Research Center (ARC) proposes to negotiate a sole source contract modification with Perot Systems, Inc. (Perot) to extend the period of performance of contract NNA08AF13C for ten months (from February 1, 2010, through November 30, 2010), pending the acquisition of a competitive follow-on contract for this effort. The total contract performance period of the contract, including this extension, will be two years and three months. The purpose of the extension is to provide on-going support for mission critical work at ARC pending placement of a follow-on contract for the required support under a competitive acquisition and in consideration of the timeline associated with the competitive procurement process.

B. Description of the supplies or services required to meet the agency's needs (including estimated value). [FAR 6.303-2(a)(3)]

ACITS 2 is currently responsible for providing a variety of critical support services to NASA ARC, NASA Headquarters, other NASA Centers, and Army, FAA, and Department of Energy programs in the area of information technology (IT). Specifically, the areas supported under the contract include:

IT Systems and Facilities Support: The contractor is responsible for providing System Administration, IT Security, Facility Support, Hardware/Software Maintenance, Application Management, Data Storage and Retrieval, Customer Support, Technical Planning, Analysis, and Training.

Network/Communications Systems and Support: The contractor is responsible for providing Network Design and Development, Network Services, Distributed Systems, Audio, Video, and Voice Communication Systems, Wireless/Emergency Communication Systems, and Network/Communication Infrastructure.

Business Systems and Support: The contractor is responsible for information technology support for Center Financial Services, Human Resources, Security, Logistics, and Business Systems Infrastructure.

Scientific Computing Systems and Support: The contractor is responsible for providing Scientific Applications, Data Acquisition and Analysis, Modeling, Tool Development, and for Scientific Computing. Scientific Computing consists of designing, developing, installing, modifying, configuring, operating, and maintaining software and computing systems in order to solve computationally intensive and/or complex engineering and scientific problems in support of ARC missions, programs, and projects.

Outreach/Informational Systems and Support: The contractor is responsible for outreach/informational systems and support. This information technology area is dominated by rich content that needs to be distributed efficiently and effectively to customers, whether they are internal to ARC, to NASA, or for the general public. These needs include web applications, information-based systems for the design, development, installation, maintenance, operations, upgrades, configuration management, archiving, customer support, and security for content-rich, IT based data systems. Examples include scientific databases and collections, geographical information systems, and digital image archive and retrieval systems, Library Systems, and Conference/ Presentation/Advocacy Support.

The estimated value of the services for this additional ten-month extension is approximately **FOIA Exemption 5** based on the Government's Independent Cost Estimate. The Independent Cost Estimate was determined based on a technical review of labor and materials anticipated to be necessary for continued performance of current and anticipated tests and projects for the remaining period of performance, as well as historical cost data derived from Monthly Contractor Financial Management Reports. This extension will require an increase in contract value by **FOIA Exemption 5**, from the current value of **FOIA Exemption 5**, to a value of **FOIA Exemption 5**.

C. An identification of the statutory authority permitting other than full and open competition. [FAR 6.303-2(a)(4)]

10 USC 2304(c)(1), *Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements*

D. Demonstration of the proposed contractor's unique qualification or the nature of the acquisition requires use of the authority cited. [FAR 6.303-2(a)(5)]

In accordance with FAR 6.302-1(a)(2)(iii), 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 substantial duplication of cost to the Government that is not expected to be recovered through competition, or unacceptable delays in fulfilling the agency's requirements.

In conjunction with the Agency Chief Information Officer's establishment of an Agency IT

Strategic Plan that encompasses IT governance, enterprise architecture, knowledge management, and security of Agency information assets and knowledge, the Agency has developed five "pillars" of contractor support, which are currently being procured under the I3P contracts. NASA Centers with expiring contracts have been provided a class deviation to the five-year term of contract under Procurement Information Circular (PIC) 09-08, dated July 1, 2009, noting that "since the five (5) I3P competitive procurements are underway, it is in NASA's best interest to bridge the period between current contract expirations and award of the I3P contracts." ARC has determined that extending the current bridge contract is the best method of fulfilling its continued need for IT support services during the period prior to finalization of the Agency I3P contracts, and is consistent with the PIC requirement to meet interim needs through extension of current contract vehicles.

Contract NNA08AF13C, or ACITS 2, is a bridge contract which was designed to cover the subject requirements pending the award of the NASA Agency-wide Information Technology Infrastructure Integration Program (I3P) contracts. ACITS 2 was awarded on August 28, 2008, for a maximum period of seventeen months; at the time, this maximum period was envisioned to align with transition to I3P. Since then, cascading delays associated with finalizing the scope, schedule, and policy surrounding the Agency-wide I3P contracts have presented significant challenges to ARC's development of an acquisition strategy for the follow-on ARC IT support contract (ACITS 3). Although the current NASA schedule for final release of the I3P contracts is still pending, ARC has determined, consistent with current NASA policy as set forth in the PIC, to move forward with the contract extension to meet Center requirements pending award of the I3P contracts. Further, ARC will also move forward with an ACITS 3 RFP that has been redesigned to accommodate the current uncertainties of the scope of the I3P requirements. Specifically, the redesigned ACITS 3 RFP will incorporate all ARC planned IT requirements, including those currently anticipated for transition to the planned Agency-wide I3P contracts. The ACITS 3 contract will allow for a reduction of work requirements during its performance period to accommodate the "off-ramping" of work as it is transitioned to the I3P contracts over a period of time.

The current ARC milestone plan provides for release of the ACITS 3 RFP in the late spring of 2010, with contract award to follow in the fall of the same year. This milestone plan may be modified in the future due to unanticipated changes associated with the I3P acquisitions. As of November 2009, the Ames Acquisition Division has confirmed with the NASA Headquarters Office of Procurement that the planned dates for release of the I3P solicitations, as well as the timing for the "off-ramping" of work for transition to these contracts, is still pending. Therefore, moving forward with the redesigned ACITS 3 RFP that will accommodate the current uncertainties of the scope of the I3P requirements is determined to be the appropriate approach to meet ARC's future information technology requirements.

The extension of the ACITS 2 contract will provide sufficient time for completion of the five planned Agency-wide contracts and development of a follow-on competitive procurement with the goal of allowing for transition requirements that are within the scope of the I3P procurements to those contracts, once they are awarded, while ARC-unique requirements remain on the follow-on ACITS 3 contract. Were this extension not to be made, ARC would suffer unacceptable delays and a catastrophic gap in support of its critical IT systems and infrastructure. Continuation of these highly specialized services is necessary because this contract maintains and supports the IT infrastructure for and systems used by the entire Center. Without this contract, the majority of the communication and IT systems used by the Center in support of all of its personnel, programs, and projects would fail.

Because NASA Headquarters has informed ARC of the delay in the award of the I3P contracts, ARC has commenced market research in support of the recompetition of the ACITS 2 contract. Developing a competitive procurement that would serve to span the gap between the expiration of the ACITS 2 contract and the award of the I3P contracts and ACITS 3 is considered impractical based on the aforementioned and would result in substantial duplication of costs not expected to be recovered through competition. Costs that would be duplicated include not only those associated with the conduct of a separate competition but also those costs associated with start-up and learning activities required to ensure that a new contractor has proper knowledge of the work requirements necessary to support this critical requirement.

Award to any other source for this ten-month extension is also not practicable given the fact that ARC has already initiated acquisition planning in support of the follow-on competitive procurement to provide these services.

E. Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by FAR Subpart 5.2 and, if not, which exception under 5.202 applies. [FAR 6.303-2(a)(6)]

A synopsis was posted on the NASA Acquisition Internet System (NAIS) and the "FedBizOpps" Federal Business Opportunities Portal on September 2, 2009, to inform the public of NASA's intent to extend contract NNA08AF13C with Perot in order to continue performance through November 30, 2010. The synopsis provided instructions for interested organizations to submit capabilities and qualifications to perform the effort to the Contracting Officer. No capability statements were received in response to the synopsis.

F. A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable. [FAR 6.303-2(a)(7)]

The Contracting Officer hereby determines that the anticipated cost to the Government will be fair and reasonable. Cost control efforts under the existing contract have been acceptable, and they are expected to continue. Further, prior to execution of the contractual extension, a proposal analysis will be performed in accordance with FAR Part 15.404. The proposal analysis will ensure that the agreed-to cost for the extension is fair and reasonable. Cost evaluation techniques will be used. Pre-negotiation objectives will be prepared prior to the initiation of negotiations, and will be approved in accordance with FAR Part 15.406 prior to the conduct of the negotiations.

G. Description of the market research conducted and the results or a statement of the reason market research was not conducted. [FAR 6.303-2(a)(8)]

A synopsis for the instant contract extension action has been posted in NAIS and FebBizOpps as stated above. The Contract Specialist received no capability statements in response to the synopsis. Further, private industry made no inquiries in response to the synopsis.

H. Any other facts supporting the use of other than full and open competition. [FAR 6.303-2(a)(9)]

Facts supporting the use of other than full and open competition are set forth in paragraph D of this document.

The Office of the Chief Information Officer has determined that Perot is highly qualified to continue performance of this contract at NASA Ames Research Center, pending award of the I3P contracts and a follow-on contract for the required services. Perot is critically involved in providing and supporting the IT needs of the Center, understands the requirement, and has the ability to provide the seamless continuity of services necessary to provide this critical support to the Center for this ten-month period. The contractor's task performance—in terms of safety, milestones, scheduled metrics, and deliverables—is well organized, prioritized, and safely completed on time and within budget. Past performance has consistently ranged from very good to excellent.

I. Listing of the sources, if any, that expressed, in writing, an interest in the acquisition. [FAR 6.303-2(a)(10)]

As set forth in paragraph E, a synopsis was posted on the NASA Acquisition Internet System (NAIS) and the "FedBizOpps" Federal Business Opportunities Portal notifying potential offerors of NASA's intent to extend the subject contract. No other source expressed interest in providing the additional work required by this extension and increase in contract value.

J. Statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required. [FAR 6.303-2(a)(11)]

As noted above, this sole source award of an extension to the ACITS 2 contract is consistent with NASA policy as established in PIC 09-08 and is due to delays associated with finalizing the scope, schedule, and policy surrounding the Agency-wide I3P contracts that delayed finalization of the acquisition strategy for the follow-on ARC IT support contract for those local ARC requirements that are not within the scope of the I3P contracts. These delays were not anticipated at the time of award of NNA08AF13C.

Signature Page

Requirement Initiator:
Kirsten Nagel
Contracting Officer's
Technical Representative

I certify that the facts presented in this justification are accurate and complete.

Kirsten Nagel
Signature

12-NOV 2009
Date

Contracting Officer:
B. K. Hess

I hereby determine that the anticipated cost to the Government will be fair and reasonable and certify that this justification is accurate and complete to the best of my knowledge and belief. [FAR 6.303-2(a)(12)]

B. Hess
Signature

12 Nov 2009
Date

CONCURRENCE:

Directorate Manager:
Chris Kemp
Chief Information Officer

Chris Kemp
Signature

12-Nov-2009
Date

Procurement Officer:
Jeffery M. Lupis

J. M. Lupis
Signature

11/16/09
Date

Center Competition Advocate:
Lewis S.G. Braxton III
ARC Deputy Director

Lewis S.G. Braxton III
Signature

11/19/09
Date

APPROVAL:

Head of the Contracting Activity:
S. Pete Worden
ARC Director

S. Pete Worden
Signature

11/19/09
Date

cc (after approval):
JAB/241-1