

**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.: 4200321366

Procurement Title: Ames Research Center Logistics Management Services

Total Estimated Value: **FOIA Exemption 5** (extension)

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

Statutory Authority: 10 USC 2304(c)(1), *Only One Responsible Source and No
[FAR 6.303-2(a)(4)] Other 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 contract modification with Tessada & Associates, Inc. (Tessada) to extend the period of performance of the sole source bridge contract, NNA09DB40C, for five months (from February 1, 2010, through June 30, 2010). The purpose of the modification to extend the contract is to provide on-going support for mission critical work at ARC pending placement of a follow-on contract for the required support under an ongoing competitive acquisition.

The total contract performance period with this extension will be fourteen months.

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

This contract modification will enable the requiring organizations to continue to obtain critical logistics support. This contract provides all of the logistics support to ARC, including critical mail, janitorial, waste management, and property management and disposal services. These services are critical to the day-to-day operation of the Center and cannot be gapped. Additionally, ARC hosts mission-related special events on a routine basis that require logistics services. In April 2010, it will be hosting a particularly large special event with an estimated 8,000 attendees. ARC special events have a wide array of goals, including education, outreach, and the exchange of ideas and information critical to ARC's mission accomplishments. Without the ongoing logistics support that is provided under the Indefinite Delivery/Indefinite Quantity (IDIQ) contract line item of contract NNA09DB40C, ARC would be unable to host such events.

The estimated value of the services for this five-month (maximum) contract extension is ^{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 tasks for the remaining period of performance. 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}.

The ARC Logistics Management Services contractor is responsible for providing a variety of critical logistics support services to NASA ARC, and a wide variety of Government and private sector tenants at NASA ARC and Moffett Field locations. The tasks supported under the contract are performed daily and include (1) supply and warehouse management; (2) equipment management; (3) mail services; (4) shipping and receiving services; (5) fleet management; (6) refuse services; (7) janitorial services; and (8) industrial property management.

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), if supplies or services required by the agency are available from only one responsible source, and no other type of supplies or services will satisfy agency requirements, then full and open competition need not be provided for. For the reasons set forth below, the incumbent contractor is the only responsible source that can reasonably satisfy these requirements pending award of the follow-on contract.

The contract extension will provide for all of the logistics support necessary for daily operations of ARC, including mail, janitorial, waste management, and property management and disposal services. These services are critical and cannot lapse while the Center is operational. No contractor other than the incumbent can now step in and provide the required logistics services, for a temporary five-month period, without placing the following critical needs of the Center at risk: (1) seamless, on-going, immediate, and fully adequate logistics support; and (2) maintenance of cost and strict budget requirements. These risks would be exacerbated by the fact that the requirement will experience a significant surge during the spring of 2010 because, during that time, ARC will host several special events, including one which will draw over 8,000 attendees. ARC's hosting of all of its special events places extra demands on its logistics infrastructure and is critical to mission accomplishment.

The current Logistics Management Services contract is a bridge contract that was developed due to a mid-stream change in acquisition strategy supporting the ongoing solicitation of follow-on services under solicitation NNA09281196R. The bridge contract was established with the expectation that the follow-on contract would be awarded by December 31, 2009 (allowing for a one-month phase in period). Since then the follow-on procurement has been restructured as a firm-fixed price (FFP) IDIQ. This required significant effort to develop the individual task orders and their associated price estimates. Among the efforts undertaken in support of this development was benchmarking of approaches taken by other Agencies and NASA Centers to satisfy similar requirements as well as extensive restructuring of the ARC Statement of Work

and solicitation to integrate the results of the benchmarking studies so that they would reflect the best practices of all benchmarked activities. As a result, the schedule for the re-competition of the Logistics Management Services requirement has slipped and award is not anticipated until May 2010. This delay creates a gap in service delivery that ARC proposes to close by extending the bridge contract (NNA09DB40C).

Tessada, as the incumbent contractor, is intimately involved with the existing requirement, and is uniquely suited to accommodate ARC's day to day logistics support requirements. Were ARC not to enter into this modification to extend contract NNA09DB40C, it would suffer unacceptable delays and a catastrophic gap in support of its critical logistics systems and infrastructure. Continuation of these services is necessary because this contract maintains and supports the logistics infrastructure for the entire Center. Without this contract, critical mission support services used by the Center research workforce would cease, and the researchers would be unable to effectively and efficiently conduct their critical research. This would result in unacceptable slippages of schedules in projects supporting ongoing and future NASA missions, as well as in projects supporting enhancements to the transportation infrastructure of the United States.

There is no reasonable alternative to modification of the existing bridge contract. Here, a separate competition and award to another contractor, covering this increased level of services during this temporary, five-month period, would neither be feasible nor reasonable, particularly given the current re-competition for a long-term follow-on contract. The result would be a substantial duplication of cost (including those associated directly with a re-procurement and those learning-curve costs associated with the transition to a new contractor) to the Government that could not be recovered, and the endangerment of the seamless continuity of logistics services, which are critical to support ARC and NASA's mission. This five-month contract extension therefore is necessary to provide coverage of critical technical requirements pending completion of the competitive follow-on action.

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 November 25, 2009, to inform the public of NASA's intent to extend the bridge contract (NNA09DB40C) with Tessada in order to continue performance through June 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 has determined that anticipated cost to the Government will be fair and reasonable (see certification on page 6). Prior to execution of the contract extension, a proposal analysis will be performed in accordance with FAR Part 15.404. The proposal analysis will ensure that the final agreed-to price for the extension is fair and reasonable. Analysis will include cost evaluation techniques. 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)]

Market research was conducted to identify other potential sources that may be available in the market capable of satisfying logistics requirement as part of the analysis conducted prior to executing the current bridge contract. At that time, ARC considered award of a competitive 8(a) contract to satisfy ongoing requirements. The technical organization reviewed a list of 8(a) contractors, as well as each contractor's capabilities against the Center's budget constraints and determined that the incumbent, Tessada, was the only responsible source. In light of the current short-term extension requirement, that determination remains valid as outlined in this document.

A synopsis for this 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)]

The Logistics and Documentation Division has determined that Tessada is highly qualified to perform the proposed bridge contract extension at NASA Ames Research Center through June 30, 2010— and is, as outlined above, the only responsible source reasonably capable of performing that bridge contract extension, pending award of a follow-on contract. Based on information contained in the latest performance evaluation, Tessada's task performance—in terms of safety, milestones, scheduled metrics, and deliverables—is well organized, prioritized, and safely completed on time and within budget.

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 on November 25, 2009 for ten calendar days to notify potential offerors of NASA's intent to extend the subject contract. No other source expressed interest in this proposed contract modification.

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)]

The subsequent acquisition for ARC's logistics services is appropriately designated as an 8(a) Set-Aside. The competition for the subsequent contract is currently in process.

Signature Page

Requirement Initiator:
Monica Mendoza
Contracting Officer's
Technical Representative

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

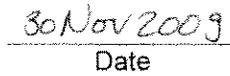

Signature


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)]


Signature


Date

CONCURRENCE:

Directorate Manager:
Deborah L. Feng
Director of Center
Operations


Signature


Date

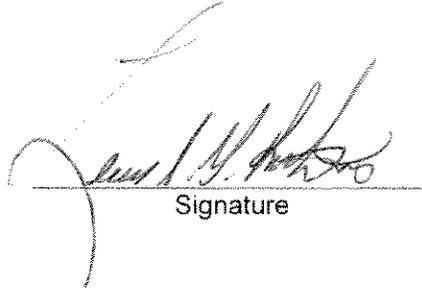
Procurement Officer:
Jeffery M. Lupis


Signature


Date

APPROVAL:

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


Signature


Signature

cc (after approval):
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