

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
JOHN C. STENNIS SPACE CENTER
STENNIS SPACE CENTER, MS 39529-6000**

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
PURSUANT TO 10 U.S.C. 2304 (C) (1)**

1.0 AGENCY/CONTRACTING AUTHORITY

National Aeronautics and Space Administration (NASA), John C. Stennis Space Center (SSC), Stennis Space Center, Mississippi.

2.0 DESCRIPTION OF THE ACTION BEING APPROVED

The action being approved is a sole-source modification to SSC Facility Operating Services (FOS) Contract (#NNS07AB21C) with Jacobs Technology Inc. (JTI), for the provision of facility operations services to the former Mississippi Army Ammunition Plant (MSAAP) from July 1, 2011 to August 27, 2012.

3.0 DESCRIPTION OF SERVICES

This action provides for the modification of the current FOS contract with JTI to include the extension of FOS services to the MSAAP once the transfer to NASA is complete. FOS services anticipated for MSAAP include:

1. Management, labor, facilities, materials, and equipment necessary to provide Facility Operating Services to NASA and its resident agencies at the facility previously known as the Mississippi Army Ammunition Plant on the John C. Stennis Space Center including: engineering services; institutional services; facilities maintenance and operations; safety and mission assurance; environmental services; occupational health; logistics and maintenance; and administrative services. This includes a full range of management duties, including project management, configuration management, planning, scheduling, work control, report preparation, safety and quality control.
2. Resolution of unusual and emergency situations, such as: hurricane preparation and recovery support; fire fighting support for construction activities; and recovery from tornadoes, any one of which may occur from time to time throughout the period of performance.

The estimated value of this fourteen (14) month contract modification, from July 1, 2011 to August 27, 2012, to the existing JTI contract (NNS07AB21C) is ~\$4,500,000.00

4.0 STATUTORY AUTHORITY

This recommendation is made pursuant to FAR 6.302-1, which implements the statutory authority at 10 U.S.C. 2304(c) (1) for the acquisition of services available from only one or a limited number of sources.

5.0 NATURE OF THE ACTION THAT REQUIRES USE OF THE AUTHORITY CITED

The Mississippi Army Ammunition plant was built by the U.S. Army on 4400 acres of land located within the northern half of the NASA SSC Fee Area. Use of the NASA land for MSAAP was permitted to the Army in 1977 for a period of 50 years. The facility, encompassing over 60 buildings and ~1,600,000 ft² of floor space, was completed in 1984 and remained in production until 1990. Since 1992, the facility has been managed by the Army as part of the Armament Retooling and Manufacturing Support (ARMS) program, under which the Army contracts with a facility management agent that leases space in the facility to tenants.

In 2005, the MSAAP was placed on the Base Realignment and Closure (BRAC) list as a DOD facility to be closed within the 6-year window stipulated by the BRAC 2005 legislation. The Army achieved the BRAC closure milestone on July 29, 2009 by transferring the facility from the Joint Munitions Command to the Installation Management Command (IMCOM) that would oversee the property until disposal was completed. Neither the BRAC status of MSAAP nor the transfer to IMCOM affected the continued tenant hosting operations of the facility management agent.

Shortly after the MSAAP designation on the BRAC 2005 list, NASA SSC began to study the impact of the BRAC closure to NASA, as the recommended disposal plan called for a reversion of the Use Permit for the facility and subsequent return of the land and facility to NASA. NASA SSC's MSAAP transition planning culminated in a Transfer Plan published in June of 2010 that recommended a transfer date for MSAAP to NASA no earlier than December 31, 2011.

In the fall of 2010, the Facilities Engineering and Real Property (FERP) organization at NASA HQ entered into negotiations with the Army for the transfer of the MSAAP property from the Army to NASA. An *Agreement to Terminate Permit No. DACA01-4-78-673* was executed by the parties on November 8, 2010 which stipulated that the permit covering the Army's use of the 4400 acres of NASA SSC Fee Area that comprise the MSAAP would terminate on June 30, 2011, at which time the entire MSAAP facility would belong to NASA. As part of the terms of this Agreement, NASA agreed to honor all tenant agreements currently in place with ARMS facility use tenants. Currently, the MSAAP is home to 19 separate tenants occupying more than 900,000 ft², including government agencies, NASA contractors, and commercial firms encompassing diverse operations such as warehousing, light manufacturing, administrative, and secure computer facilities.

With the execution of the November 2010 Agreement to Terminate, NASA SSC now faces the formidable task of completing the MSAAP transfer in a much shorter time than had been previously anticipated. The NASA SSC requirement driving this procurement action is to provide continuity of tenant hosting and facility operations and maintenance from the outset of NASA ownership of the facility, to begin on June 30, 2011. In order to meet the requirements of the MSAAP Transfer Agreement and maintain continuity of

operations, NASA SSC must have a Facility Operating Services contractor for the MSAAP in place prior to this June 30, 2011 transfer date.

Jacobs Technologies, Inc. is presently providing all required services for NASA SSC and all of its tenants under contract # NNS07AB21C; this contract was awarded from a full and open competition in 2007. NASA has a need to secure an interim FOS contractor for MSAAP, to provide uninterrupted services to the existing MSAAP operations, at the time of ownership transfer to NASA. It has been determined to be in the best interest of the government to modify NASA SSC's existing FOS contract with Jacobs Technologies, Inc. for these services to the MSAAP for fourteen months (July 1, 2011 to August 27, 2012) which corresponds to the remaining earned period of performance on the current contract. NASA views this award as a bridge term to allow sufficient time for NASA to fully understand the requirements of the Army Ammunition Plant and develop an appropriate solution consistent with the SSC Master Plan.

NASA utilization of the existing SSC FOS contractor to provide this interim bridge service will permit the Stennis Space Center to operate more efficiently and cost-effectively during the transition period than pursuing any other course of action, as:

- MSAAP FOS services are needed from Day 1 of the agreed to transfer date to support existing MSAAP tenant activities (which include NASA mission support and other federal government critical services). No other offeror can immediately perform the services provided by JTI without incurring substantial startup costs and potentially causing unacceptable delay. Any delay would result in significant mission impairment to NASA, other federal agencies, and a number of commercial companies in residence at MSAAP;
- Services required for facility operations at MSAAP, as described in the current contractual documents between the Army and their current facility management agent, are consistent with the types of services that NASA already acquires from its FOS contractor at SSC;
- The existing JTI FOS contract scope already includes support of operations and maintenance at MSAAP as a demand service, through an existing Reimbursable Space Act Agreement between NASA and the Army. This action would amount to an increase in that service which is already included in the existing contract scope.
- Utilization of any other contractor outside of the existing SSC FOS contractor to provide interim FOS services to MSAAP would result in inefficient and costly duplication of services and costs, as NASA would have to maintain two government interfaces with two separate management teams, separate and distinct contractor FOS procedures, financial systems, emergency response functions, etc. This significant duplication over the interim period would be more costly and complex to manage and could hinder the continuity of operations, safety, and security of NASA and the MSAAP resident agencies during the transition. Had MSAAP been a NASA SSC asset at the time of the FOSC solicitation, it would have been obviously been included in the solicitation and contract award.

Efficiency of operations, costs and standardization require one base facility operating services contractor.

6.0 SOLICITATION EFFORTS

The contractual modification described herein will provide a 14-month bridge for NASA to gain a better understanding of the requirements of the Army Ammunition Plant along with a long term solution consistent with the SSC Master Plan. The bridge period afforded by this sole source action will provide NASA adequate time to analyze the former MSAAP operations and will allow for a better understanding of O&M requirements at the facility. It will ensure a coherent transition of the facility and its tenants to the ultimate Shared Service Pool model upon which NASA intends to base its longer term Facility Operating Services contract. NASA SSC will endeavor during this time to incorporate and integrate the new/revised services required for MSAAP FOS into a performance based effort that is consistent with the operational model originally utilized for FOS.

7.0 COST CERTIFICATION

The contractor will be requested to provide a proposal for the modification covering the period from July 1, 2011 to August 27, 2012 using appropriate data sufficient to achieve an adequate conclusion regarding the status of the data used in developing the estimate. The request for proposal will require certified cost and pricing data for evaluation by the government. Beyond the proposal being adequate it will be required to comply with FAR 15.406 and 15.408 and Table Two of the latter regulation. The certified cost and pricing data will be examined to determine if it is current, accurate, and complete and the costs are fair and reasonable to the government using cost/price analysis techniques and audit.

8.0 MARKET SURVEY

An announcement was published in the NAIS and FedBizOpps on February 7, 2011 expressing our intent to award the Facility Operations Services for MSAAP on a Sole Source basis to the SSC Facility Operating Services Contract with Jacobs Technology, Inc. The announcement further stated that all responsible sources may submit a capability statement, which shall be considered by the agency.

9.0 OTHER SUPPORTING FACTS

One of the driving reasons for the length of time required for a competitive procurement for MSAAP FOS is the time it will take NASA to derive technical requirements in sufficient detail to include in an adequate Request for Proposals for a longer term contract. NASA intends to operate the MSAAP facility, once the transfer is complete, within the same Shared Service Pool system that it operates the rest of SSC on behalf of NASA and the resident agencies. The Army's current facility management agent's operating model does not provide the same level of O&M services as is provided in the

Shared Services Pool. A new set of O&M requirements to drive a future competitive requirement for MSAAP FOS services beyond the interim period cannot be fully developed and validated until NASA has some amount of time operating the facility to better understand the transition required between the O&M model currently in place and the one that ultimately brings the facility up to SSC Shared Services Pool standard.

10.0 SOURCES EXPRESSING AN INTEREST IN THIS PROCUREMENT

In response to NASA Solicitation Number NNS07AB21C-3, a Native American company submitted their Capabilities and Qualifications Statement. While the company demonstrates in their submission a track record of providing facility operations to federal installations, the scope of the services is insufficient in key areas required for the provision of facility operating series at SSC for the MSAAP facilities. The company provides some services in major categories delineated in the Notice and has significant relevant capabilities in functional areas such as Logistics and Facility Maintenance. However, insufficient or lack of demonstrated capabilities in critical areas such as Emergency Services, Institutional Services, Occupational Health, Configuration Control, and Engineering Design would preclude the company from being able to effectively provide the full range of series required for the operation of the MSAAP facility. Although the company demonstrated limited capability to perform the stated requirements, utilization of any other contractor outside of the existing SSC FOS contractor to provide interim FOS services to MSAAP would result in inefficient and costly duplication of services and costs, as NASA would have to maintain two government interfaces with two separate management teams, separate and distinct contractor FOS procedures, financial systems, emergency response functions, etc. This significant duplication over the interim period would be more costly and complex to manage and could hinder the continuity of operations, safety, and security of NASA and the MSAAP resident agencies during the transition.

11.0 AGENCY ACTIONS TO REMOVE BARRIERS

This requirement is being incorporated into a contract that was competed as a full and open requirement which met the requirements FAR part 6. Barriers to competition in future procurements for the Army Ammunition Plant will not exist. The BRAC of the Army Ammunition Plant and the mandated timeline negotiated by NASA Headquarters is the main barrier for this initial transition. Processes and procedures will be developed during this transition to ensure competition in the future.

12.0 TECHNICAL REPRESENTATIVE CERTIFICATION

I do hereby certify that the support data under my cognizance that are included in this justification are accurate and complete to the best of my knowledge and belief. In addition, I certify that the anticipated price to the Government will be thoroughly evaluated to ensure that it is fair and reasonable prior to award.

J. L. H. 7 MAR 11
(COTR NAME) Date
Contracting Officers Technical Representative

13.0 APPROVE/DISAPPROVE:

I certify that this justification for other than full and open competition is accurate and complete to the best of my knowledge and belief. I further certify that the anticipated costs to the Government will be determined fair and reasonable prior to award.

SUBMITTED BY: *Beth L. Bradley* 3-7-11
Beth L. Bradley Date
Contracting Officer and Division Chief/DA20

CONCURRENCE: *FOR JAMES D. HUKA* *3/11/11*
~~Robert S. Harris DEPUTY PROCUREMENT OFFICER Date~~
Procurement Officer/DA00

APPROVAL: *R. Gilbrech* 3-17-11
Dr. Richard J. Gilbrech Date
Center Competition Advocate/AA00