

National Aeronautics and
Space Administration

Dryden Flight Research Center
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Edwards, CA 93523-0273



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

JOFOC No. 12

We recommend that the Government acquire the goods and services required via other than full and open competition. This procurement is a potential two (2) month extension to the existing contract for the Safety, Health and Environmental Support Services under contract NND06AB40B with MECx, LP (MECx) on a firm fixed-price basis. This extension is required to allow NASA Dryden Flight Research Center (DFRC) additional time to complete the source selection process for the follow-on Safety, Health and Environmental contract solicited under NASA solicitation NND10348201R issued on December 10, 2010. This procurement will allow DFRC to maintain and obtain continuity of critical safety, health and environmental services.

The extension of the current DFRC safety, health and environmental support services contract provides the support needed to avoid a gap in service at DFRC upon the expiration of the contract on July 31, 2011. This extension will cover a potential maximum period of performance of two (2) months (August 1, 2011 through September 30, 2011).

NASA Procurement Information Circular (PIC) 00-22 provides a class deviation from the requirement of Federal Acquisition Regulation (FAR) 17.204(e) and NASA FAR Supplement (NFS) 1817.204(e)(iii). This class deviation applies only to existing contracts in which unusual circumstances delay the award of a follow-on contract. The follow-on contract NASA solicitation NND10348201R is delayed while NASA completes the source selection process. PIC 00-22 allows the Contracting Officer, with the approval of the Center Procurement Officer, to extend contracts beyond five (5) years including the basic contract and all options in circumstances in the delay of the follow-on contract one or more times up to a total of six (6) months. The current contract is being extended beyond five (5) years due to allow NASA time to complete the source selection process of NASA solicitation NND10348201R and award the follow-on contract.

The estimated value of the services for this two (2) month extension period is \$340,000.00. The Independent Cost Estimate was developed based on historical fixed cost and pricing data, as well as a review of the continuing data element requirements occurring during the extended performance period. The cost estimate for the new option period is as follows:

August 1, 2011 through September 30, 2011: \$340,000.00

This procurement will be procured under the statutory authority permitting other than full and open competition, FAR 6.302-1, Only one responsible source and no other supplies and services will satisfy agency requirements (10 U.S.C. 2304(c)(1)).

MECx is the only responsible source that is capable of satisfying the agency's need for the following reasons.

- 1. A 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)]**

The current contractor, MECx, have been performing these services for the period of May 1, 2006 through present. This contractor has experienced personnel to provide these services. It would be cost ineffective to issue a new contract for two (2) months to a new contractor to perform these services while NASA is in the process of completing source selection for the follow-on contract.

- 2. A 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)]**

No other offers will be solicited as we are currently in the sources selection process for the follow-on Safety, Health and Environmental procurement. It would be impracticable and not in the Government's best interest to solicit additional sources since DFRC is evaluating under the follow-on procurement.

- 3. 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 anticipates the cost to the Government will be fair and reasonable. Prior to this extension to the safety, health and environmental support services being awarded, a proposal analysis will be performed in accordance with FAR 15.404. The proposal analysis will ensure that the final agreed-to price for the extension is fair and reasonable. Analysis will include cost and price evaluation techniques. Pre-negotiation objectives will be prepared prior to the initiation of negotiations and will be approved in accordance with FAR 15.406 prior to the conduct of negotiations.

- 4. 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)]**

Although there is a possibility that there may be other sources capable of providing these services at DFRC for this maximum two (2) month performance period, it is not in NASA's best interest to award a competitive contract to bridge the period between the expiration of these services and the award of a new safety, health and environmental support services contract.

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

MECx is highly qualified to continue performance of the Safety, Health and Environmental support services at DFRC, to allow the center time to complete the source selection process for the follow-on procurement. Overall contract performance, in terms of safety, milestones, scheduled metrics and deliverables, has been well-organized, prioritized and safely completed on time and within budget. MECx has maintained a very good/satisfactory performance rating on the Safety, Health and Environmental support services at DFRC.

Installation-provided property will be provided to the contractor in this procurement. No current or former NASA employees are expected to support this effort on MECx's behalf.

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

No other source has expressed an interest in providing safety, health and environmental support services to DFRC during this subject two (2) month performance period.

7. A 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)]

Previous competition for safety, health and environmental support services was adequate. The proposed extension is due solely to the need to continue the provision of critical safety, health and environmental support services to DFRC and allow the center time to complete a follow-on safety, health and environmental support services contract. Therefore, there are no actions the agency needs to take to remove or overcome any "barriers to competition".

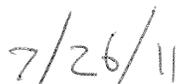
For the foregoing reasons, MECx is the only responsible source to support the critical requirement for essential safety, health and environmental services at DFRC during the subject two (2) month performance period.

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

TECHNICAL REPRESENTATIVE: I certify that the facts presented in this Justification are accurate and complete.



Daniel F. Mullen



Date

CONTRACTING OFFICER (CONCURRENCE):



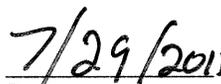
Brian G. Bowman

Date

PROCUREMENT OFFICER (APPROVAL):



Arthur L. Welton



Date