

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

JOHN C. STENNIS SPACE CENTER

STENNIS SPACE CENTER, MS 39529

Justification for other than full and open competition

1. This document is a justification for other than full and open competition prepared by NASA John C. Stennis Space Center.
2. **The nature and/or description of the action being approved:**

This action to be approved is for procurement on a sole source basis for maintenance of the Government-Owned Aastra Intecom PointSpan Telephone Switch located at the John C. Stennis Space Center (SSC), MS in Building 1201 and Building 9110.

3. **Description of the supplies or services required:**

This action provides for continuation of maintenance for the Government-Owned Telephone Switch system located at John C. Stennis Space Center, MS. This initial system (hardware, software and maintenance service) was competitively purchased January 4, 2002, via award placed against Intecom, Inc.'s Federal Supply Schedule (FSC) GSA contract, award number NS-7652/GSA contract number GS-35F-0146L. Maintenance coverage under this award initially ended August 21, 2005. Follow-on maintenance procurement was sole sourced to Aastra Intecom for 40 months, beginning August 21, 2005 through December 31, 2008, and a one (1)-year extension option period. During this time, market research indicated that Aastra Intecom, Inc. and the services available under this extension were no longer available under a FSC GSA contract.

NASA at SSC also assumed the operation and maintenance of a second instance of an Aastra Intecom Telephone Switch system due to NASA SSC assuming Mississippi Army Ammunitions Plant facility located within Stennis Space Center in June of 2010. The second Aastra Intecom Telephone Switch was procured in 2005 by the Army. Both telephone systems are required to fully provide service to the entire SSC site; which now includes the Mississippi Army Ammunitions Plant facility.

Typical maintenance costs with 24 x 7, 365 day monitoring of equipment will likely increase by 20% annually from the original purchase price. The estimated cost for annual maintenance is in excess of \$600,000. A 57 month contract would have a total contract value estimated to be just over \$3 million, thus the current estimate of the follow-on acquisition contract value of \$2,846,124.00 is considered fair and reasonable.

The anticipated period of performance for this follow-on maintenance procurement is for 57 months, beginning January 1, 2012 to September 30, 2016, which will consist of a nine-month base period and four (1) one-year option periods. The Contractor under this procurement is primarily required to provide maintenance for the equipment's software which includes upgrades, updates, error correction and functionality improvements. This maintenance also includes support for QuickCOM (software that collects, manages and communicates information to a central repository), Universal Computer Protocol (UCP), and HP and Dell Servers. Included in the maintenance requirements by Aastra Intecom, they will provide 24x7 telephone consultation services, monitoring of the equipment automatic failure notifications, remote diagnostics and remote polling, provide access to maintenance information bulletins, and allow for defective parts exchange.

Anticipated total value of the procurement, including all option periods, is approximately \$2,846,124.00.

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

This Justification for Other Than Full and Open Competition is made pursuant to FAR 6.301-1, which implements 10 U.S.C 2304 (c)(1) for acquisition of supplies or services that are available from only one responsible source, and no other type of 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:

The equipment for which NASA has requirements for maintenance is a Government-Owned PointSpan Telephone Switch system. This system is comprised of a circuit switched matrix and line cards for connection to telephone stations and the public switched telephone network (PSTN). The PointSpan Telephone Switch was manufactured and purchased from Intecom Inc., which, as provided for under item number 3 above, has merged with another firm to become Aastra Intecom (Aastra was formerly EADS Telecom North America). The system's hardware components and software are a critical part of the functionality of the system, and is proprietary to Aastra Intecom. Aastra Intecom or their authorized distributor can license or sublicense that software, and only Aastra Intecom can provide modified or updated Aastra Intecom software or service such software.

By being an Aastra Intecom maintenance customer we will have access to software support, their Customer Support Center, documentation and software fixes. NASA can select the option to self-maintain the PointSpan Telephone Switch system but, Stennis' technicians are only qualified to perform preventive maintenance. If a problem occurs they are to contact Aastra Intecom's Customer Support for the over-the-telephone technical support. In addition, under the software license agreement, only Aastra Intecom may alter the software to rectify site-specific problems.

6. Description of the efforts made to ensure that offers are solicited from as many potential sources as practicable

No existing contract listed under NASA's Consolidated Contracting Initiative or the Federal Supply Schedule contracts has the unique capabilities of providing the required services provided by Aastra Intecom.

Market Research was performed and is documented in this file. Because of the proprietary elements, no other source was located that can provide the required services, including remote maintenance for the equipment's software which includes upgrades, updates, error correction and functionality improvements; 24x7 telephone consultation services, monitoring of the equipments automatic failure notifications, remote diagnostics and remote polling, provide access to maintenance information bulletins, and defective hardware parts exchange.

This procurement is being made under special provisions of FAR 13.5 for certain commercial items. The synopsis for this procurement was posted to www.fedbizopps.gov on September 15th for a period of 15 days. This synopsis included notification that the Government intends to purchase these services on a sole source basis but requested that any firm capable of fulfilling this requirement respond to the synopsis with a capabilities statement.

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

The estimated cost for furnishing the services described in item number 3 is deemed to be realistic based on the current same/similar services being provided by the same contractor. Upon receipt of proposal, the Contracting Officer will determine price reasonableness for the procurement through cost/price analysis and negotiation. The Contracting Officer's certification is contained in the last section below.

8. A description of the market research conducted and the results or a statement of the reason market research was not conducted.

Market Research was conducted prior to the posting of the synopsis on September 15th, 2011. Market Research has indicated that no other source is capable of providing the required services. Aastra Intecom is the only firm that is able to provide the systems hardware components and the software is a critical part of the functionality of the system and is proprietary solely to Aastra Intecom. Aastra Intecom is the only authorized distributor that can license or sublicense the software.

9. Any other facts supporting the use of other than full and open competition, such as:

(i) Explanation of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available.

No other vendor can provide the required services due to the proprietary hardware described in item number 6 and 8 above. Aastra Intecom is the only firm that can provide the software that is compatible to the Government owned equipment. Aastra Intecom is the only firm capable to perform this requirement.

(ii) When 6.302-1 is cited for follow-on acquisitions as described in 6.302-1(a)(2)(ii), an estimate of the cost to the Government that would be duplicated and how the estimate was derived.

Services are deemed to be available only from the original source in the case of follow-on contracts for the continued provision of highly specialized services. Award to any other source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition. If the Government were to purchase a new telephone system, the cost would amount to approximately \$3.15 M. This estimate was derived from the original cost of the current telephone switch system which was competitively purchased on January 4, 2002, and the telephone associated equipment acquired through the transfer of the Army Ammunition Plant, purchase by the Army in 2005 and assumed by NASA in 2011. The estimated value of the second Aastra Intecom Telephone switch is approximately \$1,024,000.00; this estimate is based on the capability of the second system as compared to the SSC NASA system. Total new purchase price of equipment based on pre-2005 prices is \$3,150,000.00; factoring in a 15% escalation provides a value of both telephone switches is \$3,622,500.00. The cost of replacement to the current telephone system does not include the services needed to perform maintenance, upgrades to software, and any functionality changes or improvements. The total cost of replacing the equipment and performing the required services of the hardware over a 57 month period would likely be in excess of \$6 million dollars.

10. A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.

No other vendor capable of fulfilling this requirement has expressed an interest in this acquisition at this time. One response was received from the synopsis: ISYS Technologies. ISYS Technologies was seeking subcontractor opportunities rather than performing the scope of this contract.

11. 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.

NASA continues to use solicitation methods to promote commercial firms for the development of new technologies. NASA attempts to increase the competition base for its unique requirements through the use of market Research and public announcements. As requirements continue, NASA/SSC will continue to search for GSA vendors as well as open market vendors that can fill the agency's needs.

Title of Procurement:

Maintenance services for John C. Stennis Space Center's PointSpan Telephone Switch.

Technical Officer: I certify that the supporting data presented in this justification are accurate and complete.

Aleena Perry
IT Telecommunication Manager

10/18/2011
Date

12. **Approval/Disapprove**

I do hereby certify that the justification 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.

Pursuant to NFS 1805.207 and 1804.570, this proposed action has been published on the NASA Acquisition Internet Service (NAIS) and, pursuant to FAR 5.201, synopsised in the Government wide point of entry (GPE) (FedBizOpps). Results received were addressed and a sole source procurement is determined to be necessary due to the reasons expressed herein.

SUBMITTED BY: Beth L. Bradley 10-18-11

Beth L. Bradley

Date

Contracting Officer / DA20

CONCURRENCE: *for* Robert S. Harris 10-18-2011

for Robert S. Harris

Date

Procurement Officer / DA00

APPROVAL: R. Gilbrech 10-21-11

Dr. Richard J. Gilbrech

Date

Center Competition Advocate / AA00