PR 4200464728

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
GEORGE C. MARSHALL SPACE FLIGHT CENTER

LIMITED SOURCE JUSTIFICATION

I recommend that NASA, George C. Marshall Space Flight Center negotiate with Advanced Engineering Technologies/SimuTech Group only for ANSYS Technical Enhancements and Customer Support (TECS) for ANSYS Product renewals. The total estimated cost of this effort is $195,342.99 and the period of performance is one year. This action will be performed against GSA Contract GS-35F-0639N.

It is proposed that this acquisition be conducted under the authority of the Multiple Award Schedule (MAS) Program in accordance with Title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251, et seq.) and Title 40 U.S.C. 501, Services for Executive Agencies.

This recommendation is made pursuant to FAR 8.405-6(b)(1) for the acquisition of supplies or services from limited sources under General Services Administration (GSA) Federal Supply Schedules (FSS) when only one source is capable of responding due to the unique or specialized nature of the work. Competition among FSS holders is impractical for the following reasons:

1. The ANSYS code is proprietary and a source of the salient characteristics is not available to the government. No second source vendors have been authorized by the creator of ANSYS to develop the items.

2. The ANSYS program is the only code that can be used to execute existing structural ANSYS models of the J2X Engine, and provides structural strength assessments required by other liquid and/or solid propulsion elements supported by MSFC.

Pursuant to FAR 8.404(a), "BPAs or orders placed against a MAS, using the procedures in this subpart, are considered to be issued using full and open competition (see 6.102(d)(3)). Therefore, when establishing a BPA (as authorized by 13.303-2(c)(3)), or placing orders under Federal Supply Schedule contracts using the procedures of 8.405, ordering activities shall not seek competition outside of the Federal Supply Schedules or synopsize the requirement."

Pursuant to FAR 8.404 (d), "GSA has already determined the prices of supplies and fixed-price services, and rates for services offered at hourly rates, under schedule contracts to be fair and reasonable. Therefore, ordering activities are not required to make a separate determination of fair pricing, except for a price evaluation as required by 8.405-2(d)," which states, "The ordering activity is responsible for considering the level of effort and the mix of labor proposed to perform a specific task being ordered, and for determining that the total price is reasonable."

Market research was conducted by discussions with knowledgeable technical experts within the MSFC Engineering Directorate and with representatives of ANSYS. This market research shows that Advanced Engineering Technologies/SimuTech Group is the only authorized source for distribution, support and maintenance of ANSYS products.

Due to the specialized nature of this requirement, there are no known actions which the agency may take to remove or overcome barriers to competition before any subsequent acquisition for the services required. Therefore, purchase of the products from Advanced Engineering Technologies/SimuTech Group is the only practical approach.

I hereby certify the facts in this justification and any supporting data used for this justification are accurate and complete to the best of my knowledge.

Patrick R Rogers — 2-14-13

Patrick Rogers/ER41
Structural & Dynamics Analysis Branch

Date

I hereby certify that this justification is accurate and complete to the best of my knowledge and belief. In addition, I hereby determine that the anticipated total price of the order will be reasonable and that the resulting task order represents the best value to the Government.

Michael R. Sosebee — 2/25/13

Michael R. Sosebee
Contracting Officer
Manager, Engineering Support Office

Date

Approval:

Roxanne C. Melton — 2/25/13

Roxanne C Melton
Contracting Officer
Office Manager, Engineering Support Office

Date