

**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(b)(1)]

Summary Information:

Initiating Office: NASA Ames Research Center
Human Systems Integration Division (Code TH)

Purchase Request No.: 4200489432

Procurement Title: Aviation Safety Reporting System (ASRS) and Related Systems

Total Estimated Value: **FOIA Ex. 5** (total value of the contract increase)

Period of Performance: December 8, 2010 to December 7, 2015

Statutory Authority: 10 USC 2304(c)(1), *Only One Responsible Source and No Other
[FAR 6.303-2(b)(4)] 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 (NFS) [1806.303](#).

Detailed Information:

A. Nature and/or description of the action being approved. [FAR 6.303-2(b)(2)]

NASA Ames Research Center (ARC) proposes to negotiate a sole source contract modification with Booz Allen Hamilton (BAH) to increase the total value of the Aviation Safety Reporting System (ASRS) and Related Systems contract NNA11AA19C. The increase in contract value is due to the following unanticipated events: (1) an increase in providing voluntary, independent, and confidential incident reporting; (2) an increase in short duration research studies for improving safety reporting and education; and (3) the implementation of critical and necessary infrastructure improvements for the reporting system. This increase in contract value will be for services required until the follow-on procurement contract is awarded and performance has begun, but not longer than the current period of performance which ends December 7, 2015, if all options are exercised.

The ASRS contract is a cost-plus-fixed-fee (CPFF) contract with a total value of \$18,642,975. The Government Independent Cost Estimate (ICE) for the contract modification is **FOIA Ex. 5**; therefore, increasing the current value of \$18,642,975 to a value of **FOIA Ex. 5**. If the contract value is not increased, then the current value is projected to last until August 2015.

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

Under the ASRS and Related Systems contract, BAH currently provides the maintenance and operation of a voluntary, independent, and confidential incident reporting program as well as

conducts research and development using incident reports to support improvements in the performance and safety of the current future domain systems. The contract value increase will allow continued support for the following critical requirements:

Continue to Provide Voluntary, Independent, Confidential Incident Reporting

During the acquisition planning for the current contract, the Government estimate projected a high level of support for the aviation and railroad transportation industries. During contract performance, the requirement to provide the required maintenance and operation of a voluntary, independent, and confidential incident reporting has substantially increased due to the influx of incidents reported by various agencies and industries. The current ASRS program provides significant incident reporting services to the aviation and railroad industries. For example, the program supported an increase in Aviation Safety Action Programs (ASAP) (from 140 programs to 172 programs) and airlines submitting safety reports to ASRS through secure data transmission (from 56 to 71). In addition, the confidential incident reporting program for the railroad industry now requires additional development of three reporting forms: transportation, mechanical, and engineering. Also, the program projects an increase in the current support for incident report to other industries such as offshore oil, firefighting, electrical power, and medical safety.

This increase in required critical services consists of roughly **FOIA Ex. 5** of the proposed contract increase.

Continue to Provide Short Duration Research Studies

The increase in contract value will also allow for continued support for short duration research studies in safety reporting and education requested by NASA and other agencies. As a result of the increase in demand for safety reporting, there has been a significant increase in requests from NASA and other agencies for research and operational reports, annual reports describing program operations, requests for specific information from the reporting system databases, and information reports on safety and education. This increase in required critical services consists of roughly **FOIA Ex. 5** of the proposed contract increase.

Provide for Implementation Infrastructure Improvements to the Reporting System

Finally, the increase in contract value will allow for the necessary infrastructure improvements to the reporting system with an aging infrastructure that has become detrimental to the program. The current system fails to operate to its fullest potential, and processes must be improved to increase efficiency, reliability, and accuracy. In order to improve this situation, additional personnel need to develop a Safety Reporting Workbench. The purpose of the workbench is to improve functionality and performance and to ensure the efficient and effective operation of the safety reporting system. As the program is expected to increase its support to additional industries in the near future, the reporting system must be improved in order to handle the additional capacity needed to ensure reliability and accuracy of reporting data as a result of the program's expansion.

In addition to personnel, the ASRS program requires new information technology (IT) equipment and software (e.g., workstations and installation support for switches, backup systems, and firewalls) in order to support these improvements. For example, the current workstations run on outdated software (such as Microsoft Office 2003 and Windows XP), which if not updated,

would be vulnerable to numerous security risks as software manufacturers discontinue support for outdated software. The security risks associated with utilization of outdated software compromises the integrity of the program due to the confidential nature of the reporting system.

The additional contractor staff and critical IT improvements are estimated to be **FOIA Ex. 5** of the proposed contract increase.

Although there presumably are contractors capable of performing similar types of requirements that support safety reporting, research studies, and education, there are no contractors that can do so within the required timeframe, program or project budget limitations, and with the necessary and critical historical technical knowledge. Substantial duplication of costs would occur in awarding to a potential new contractor to complete the requirements discussed above. Costs that would be duplicated include those associated with start-up and learning activities required to ensure that a new contractor has proper knowledge of the work requirements necessary to support these highly specialized and critical ARC requirements. In addition to the duplication of costs, the lapse in critical service that would result from a competition of this increase would cause unacceptable disruption in supporting the ASRS and related systems requirements.

C. An identification of the statutory authority permitting other than full and open competition. [FAR 6.303-2(b)(4)]

The statutory authority for this procurement is 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(b)(5)]

In accordance with FAR 6.302-1(a)(2)(iii), for DoD, NASA, and the Coast Guard, services may be deemed available only from the original source in the case of follow-on contracts for the continued provision of highly specialized services when it is likely that award to any other source would result in substantial duplication of costs to the Government that is not expected to be recovered through competition or unacceptable delays in fulfilling the agency's requirements.

As stated above in Section A, the increase in contract value is due to the following unanticipated events: (1) an increase in providing voluntary, independent, confidential incident reporting; (2) an increase in short duration research studies for improving safety reporting and education; and (3) the implementation of critical and necessary infrastructure improvements for the reporting system.

The current contractor for the ASRS contract, BAH, has the unique base of technical knowledge and experience. This includes the following: (1) the required historical knowledge of the ASRS Program and related systems in developing detailed design trade-offs and processes for the confidential incident reporting system that are critical in performing the maintenance and operation of a voluntary, independent, and confidential incident reporting program; and (2) the ability to conduct research and development using incident reports to support improvements in the performance and safety of the current future domain systems. A change in contractor prior to the completion of the contract would severely impact mission critical programs. BAH has clearly demonstrated that it possesses the highly specialized capabilities and skills necessary to accomplish the requirements described.

As stated above, if this modification increase to the current contract with BAH for these highly specialized, mission critical services is not awarded as requested herein, the result will be, as described above in detail in Section B, a substantial duplication of costs to the Government, as well as unacceptable delays in the performance of these essential contract requirements.

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(b)(6)]

On January 23, 2014, a synopsis was posted on the NASA Acquisition Internet Service (NAIS) and the Federal Business Opportunities Portal (FedBizOpps) to inform the public of NASA's intent to increase the value on contract NNA11AA19C with Booz Allen Hamilton, to address the increase in demand for ASRS services. The synopsis provided instructions to interested organizations for submitting capabilities and qualifications to perform the effort to the Contracting Officer. The synopsis was posted for 10 days. 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(b)(7)]

The Contracting Officer (CO) has determined that the Government's ICE of [FOIA Ex. 5](#) for the contract increase modification is fair and reasonable. Prior to execution of the contract modification, the CO and Contracting Officer's Representative (COR) will perform an analysis in accordance with FAR 15.404, using cost and price evaluation techniques, to assure the proposed costs are fair and reasonable. 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.

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(b)(8)]

A synopsis notice was published in NAIS and FedBizOpps on January 23, 2014 to solicit information about potential sources to acquire professional services under the ASRS program for ARC. Interested organizations were requested to submit their capabilities and qualifications to the identified point of contact describing, in writing, their abilities to perform the effort no later than 4:00pm PST on Thursday, February 6, 2014. The Contracting Officer received no capability statements in response to the synopsis.

One inquiry was received on January 27, 2014 from an interested party as to whether the contract action is a follow-on or a new procurement. The interested party was informed that this action would result in an increase to the current contract value.

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

This contract value increase will allow the program to continue to provide confidential incident reporting, short duration research studies, and IT infrastructure upgrading necessary to support critical requirements. The necessary increase in support was not anticipated during the acquisition planning phase of the current contract.

Soliciting another source to fulfill these requirements would result in duplication of costs and costs of unacceptable delays due to interrupted work. This contract action is to address the increase in confidential safety and incident reporting services required to be performed under this program, which was not anticipated at the time of award. As this is not a new requirement or an extension of services, but rather an increase in contract value to allow the program to support the growing demand, the Contracting Officer considers the incumbent contractor to be the only responsible source capable of fulfilling the Government's requirements.

I. Listing of the sources, if any, that expressed, in writing, an interest in the acquisition. [FAR 6.303-2(b)(10)]

See Section G.

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(b)(11)]

The period of performance of the current contract, with all options exercised, is to elapse on December 7, 2015. Follow-on procurement efforts have begun for this requirement. A Request for Information (RFI) and a Statement of Work (SOW) have been drafted and are estimated to be posted in June 2014. As the current contract ends in December 2015, the estimated award date of the new contract is October 2015 to account for a phase-in period. In order to promote competition, the Government tentatively intends to solicit the new requirement under full and open competition. This will have to be validated once the responses from the RFI are evaluated.

Furthermore, it is anticipated that the follow-on procurement strategy will incorporate an Indefinite Delivery, Indefinite Quantity (IDIQ) contract line item to allow for additional support services, if required.

Signature Page

Requirement Initiator:
Linda Connell, ARC-TH

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


Signature

4/29/14
Date

Contracting Officer:
Elisban U. Rodriguez

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(b)(12)]


Signature

4/29/14
Date

CONCURRENCE:

Directorate Manager:
Eugene L. Tu
Code T Director


Signature
for Eugene Tu

7/8/2014
Date

Procurement Officer:
Kelly G. Kaplan


Signature

7/8/2014
Date

APPROVAL:

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


Signature

7/9/2014
Date

cc (after approval):
JAI Admin Asst: 241-1