

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION (JOFOC)

(1) Identification of the agency and the contracting activity, and specific identification of the document as a “Justification for other than full and open competition.”

This document is a justification for other than full and open competition prepared by NASA Dryden Flight Research Center (DFRC).

(2) Nature and/or description of the action being approved.

This justification provides the rationale for contracting by other than full and open competition for the acquisition of natural gas distribution to DFRC.

(3) A description of the supplies or services required to meet the agency’s needs (including the estimated value).

DFRC purchases natural gas supplies from the Defense Logistics Agency - Energy Division (DLA). DLA transports these natural gas supplies to the eastern California border. This requirement is to have the gas supplies transported from the eastern California border to NASA DFRC. The estimated value for this action is \$60,000.

(4) An identification of the statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is 41 U.S.C. 253(c)(1), Only one responsible source and no other 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.

Pacific Gas and Electric Company (PG&E) has the only natural gas pipeline extending from the major distribution line adjacent to Highway 58 to DFRC’s natural gas infrastructure. They have an existing GSA area-wide public utility contract and a separate task order will be issued for the required effort.

(6) 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 Subpart 5.2 and, if not, which exception under 5.202 applies.

Market research revealed there are no other sources that can provide this service. A notice was not publicized as required by Subpart 5.2, as the proposed contract action is for utility services and only one source is available.

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

GSA purchases utility services in a manner that is consistent with the regulations, rulings, and franchise or service territories. Rates are established by independent regulatory bodies. These Tariff rates are considered "prices set by law or regulation".

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

A review of natural gas transportation infrastructure regional to DFRC reveals two major distribution lines running adjacent to California State Highway 58. These lines are operated by PG&E and the Mojave Pipeline Company.

(9) There are no other facts supporting the use of other than full and open competition.

(10) No other sources expressed in writing an interest in the acquisition.

(11) There are no actions, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required given the current infrastructure. Research will be conducted prior to the award of future requirements, to ensure circumstances have not changed.

CONTRACTING OFFICER:

I certify that this justification is accurate and complete to the best of my knowledge and belief.

Lisa A. Jackson
Signature

02/20/2014
Date