

**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(a)(1)]

Summary Information:

Initiating Office: NASA Ames Research Center (ARC)
Army Aeroflightdynamics Directorate (AFDD)/
AFDD Flight Projects Branch (Code YSF)
Aviation Management Office (Code JO)

Purchase Request No.: 4200516024

Procurement Title: Aircraft and Airfield Related Services

Total Estimated Value: **FOIA Ex. 5**

Extended Period of Performance: April 1, 2015 through September 30, 2015

Statutory Authority: 10 USC 2304(c)(1), *Only One Responsible Source and No Other*
[FAR 6.303-2(a)(4)] *Supplies or Services Will Satisfy Agency Requirements*

This Justification for Other than Full and Open Competition (JOFOC) 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(a)(2)]

NASA ARC proposes to negotiate a sole source contract modification with L-3 Communications Vertex Aerospace, LLC to extend the period of performance of Contract NNA10DE11C, Aircraft and Airfield Related Services, for six (6) additional months pending completion of a competitive procurement for a new contract that supports only the Army requirement. The six (6) month extension would consist of a six (6) month base period. This extension would extend the current period of performance from April 1, 2015 to no later than September 30, 2015.

ARC awarded the original contract on April 1, 2010 with a performance period of April 1, 2010 through March 31, 2015 (after exercising all of the options). The current contract provides aircraft and airfield support to NASA and the Army. Procurement efforts for a new contract began in February 2013.

During the procurement planning and market research phases of the re-competition of the current contract, the U.S. General Services Administration (GSA), on behalf of NASA, issued a Request for Proposal (RFP) on May 28, 2013 to solicit lease proposals for the rehabilitation and adaptive reuse of NASA's historic Hangar One as well as Management of Moffett Federal Airfield (MFA). The RFP required responses by November 20, 2013. NASA ARC placed the Aircraft and Airfield Services follow-on procurement on hold in order to more accurately determine the scope and to determine if NASA would continue to have an airfield requirement

after the release of the GSA RFP. In January 2014, the Contracting Officer scheduled a meeting with the Center Management to discuss whether NASA ARC would continue to have an airfield requirement or if it would only provide aircraft support to the Army. The Associate Center Director confirmed that the NASA ARC airfield requirement would not be included in this procurement. Therefore, a six (6) month extension to the current contract is necessary to conduct a new procurement that only addresses the Army requirement for aircraft related support services.

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

The purpose of this JOFOC is to extend the current Aircraft and Airfield Services contract for a period of six (6) months, pending completion of the competitive new contract for Aircraft Related Services. The current contract provides mission critical aircraft services for aircraft operations, maintenance, and research at NASA ARC as well as operation of the Moffett Airfield. These mission-critical services support research, technical investigations, scientific studies, airworthiness activities, flight operations, and safe and efficient operation of the Federal Airfield. The required services support the U.S. Army Aeroflightdynamics Directorate (AFDD) (known at NASA-ARC as the AFDD Flight Projects Branch or Code YSF), the SIERRA Project Unmanned Aerial System (Code SG), and the Aviation Management Office (Code JO). The services involve the following technical areas: mechanical systems, electrical/electronic systems, instrumentation, software, and data systems. The extension will continue the required aircraft related support services for the Army and will transition the airfield support services for NASA ARC to the pending GSA contract award.

AFDD, with the support of the current Contractor, is involved with a number of long-term projects that would be potentially impacted should an extension of the current contract not be granted. These projects are all flight-test related for which the Contractor shall play an integral role in prepping, modifying, and maintaining the aircraft to accommodate the different hardware, subsystems, and sensors associated with each specific project. The flight tests will be performed onsite as well as offsite, and the aircraft will require Contractor support during deployment. Key projects include: Acoustic Testing in Salton Sea, California as well as Rotor State Feedback, Cockpit-Integrated Autonomy, and Degraded Visual Environment Mitigation in Yuma Proving Grounds, Arizona.

The SIERRA Unmanned Aerial Systems (UAS) operated by Code SG is scheduled to support CARTA 2015 (Costa Rican Airborne Research and Technology Application) before, and during, the proposed contract extension timeframe. The CARTA instrument/sensor payload will be housed aboard the UAS. The UAS will be deployed to the Salton Sea in California in order to perform data collection flight tests in support of the CARTA 2015 mission. Again, the current Contractor will play a key role in the integration and testing of the sensor aboard the SIERRA UAS, and it will support maintenance and flight tests during deployment.

The North American Industry Classification System (NAICS) Code for the Aircraft and Airfield Related Services procurement is 488190, Other Support Activities for Air Transportation, with a size standard of \$30 million. Based on the Government's Independent Cost Estimate (ICE), the estimated value of the services for this six (6) month extension is approximately **FOIA Ex. 5** NASA ARC based the ICE on a technical review of anticipated flights, including labor and materials, necessary for continued performance of Aircraft and Airfield Related Services for the remaining period of performance. The current contract is an Indefinite Delivery Indefinite

Quantity (IDIQ) Cost Plus Fixed Fee (CPFF) contract with a maximum value of FOIA Ex. 5. Based on review of anticipated requirements during the extension period, the maximum value will have to be increased, by FOIA Ex. 5, from the current maximum value of FOIA Ex. 5 to a maximum value of FOIA Ex. 5.

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

The statutory authority 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(a)(5)]

In accordance with FAR 6.302-1(a)(2)(iii), for DoD, NASA, and the Coast Guard, services may be deemed to be 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 cost to the Government that is not expected to be recovered through competition, or unacceptable delays in fulfilling the agency's requirements.

The maximum six (6) month extension and the increase to the contract maximum value are necessary to provide the comprehensive continuation of highly specialized services, described below, pending completion of the new procurement. If these highly-specialized services were acquired via a separate competition for a separate six (6) month contract, rather than via the extension provided for herein, the result would be a substantial duplication of costs to the Government that would not be recovered. This duplication of costs would include not only those costs associated with competing a separate procurement for the extension period, but also the costs associated with phase-in activities for the separate six (6) month contract, which would be necessary to ensure that the new, possibly different, contractor has proper knowledge of work requirements necessary to support the critical, highly specialized airfield and aircraft related requirements. Again, these costs would be duplicative of costs that already need to be incurred as part of the new requirement anticipated for award in the fourth quarter of Fiscal Year 2015. Hence, a six (6) month extension, rather than a new procurement for a six (6) month contract, is the only cost-effective and reasonable approach for NASA ARC to take in the present situation.

Further, the six (6) month extension to the current contract also is necessary to avoid unacceptable delays to NASA's critical requirements. If the extension is not approved, support for the highly specialized Army requirements will be impacted. A separate competition and award to, potentially, a different contractor for a six (6) month period would neither be feasible nor reasonable given the current and on-going new procurement. This would create unnecessary disruption and unacceptable delays as well as damage the seamless continuity of services necessary to support the missions of ARC, the Army and NASA.

The extension of the Airfield and Aircraft Related Services contract will allow sufficient time for the continuation of the highly specialized engineering and technical support services for the airfield and aircraft, pending the procurement process of the new contract. Without the proposed contract extension, ARC, Army and agency projects would suffer unacceptable delays and would be severely impacted.

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(a)(6)]

On June 6, 2014, ARC posted a synopsis on the NASA Acquisition Internet System (NAIS) and the Federal Business Opportunities Portal (FedBizOpps), which informed the public of the intent to extend Contract NNA10DE11C with L-3 Communications Vertex Aerospace, LLC in order to continue performance through September 30, 2015. The synopsis provided instructions for interested organizations to submit capabilities and qualifications to perform the effort no later than June 23, 2014 to the Contracting Officer. The Contracting Officer did not receive any capability statements 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(a)(7)]

The Contracting Officer's signature on this document indicates that the Contracting Officer has determined that the anticipated cost to the Government will be fair and reasonable. Prior to execution of the contractual instrument, 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 contract extension is fair and reasonable, and 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.

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(a)(8)]

ARC posted a synopsis on the NAIS and FedBizOpps portals as stated in paragraph E above, and no interested parties responded.

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

The Contractor currently provides support to various directorates at the Center, the Army, and Moffett Airfield. The AFDD (Code YSF), the SIERRA Project Unmanned Aerial System (Code SG), and the Aviation Management Office (Code JO), have determined that L-3 Communications is highly qualified to continue performance of the Aircraft and Airfield Related Services contract at NASA ARC through September 2015, pending award of the new contract. Task performance—in terms of safety, milestones, scheduled metrics, and deliverables—is well organized, prioritized, and safely completed on time and within budget. Since the award of the current contract, L-3 Communications received performance ratings of “Very Good” to “Excellent.”

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

No other source expressed interest in providing the additional work required by this extension and this increase in contract value.

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(a)(11)]

There are currently no actions the agency needs to take to remove or overcome any barriers to competition before any subsequent acquisition for these services.

ARC is currently in the process of conducting a new competitive procurement for aircraft and airfield support services. This sole source award of a six (6) month extension to the Aircraft and Airfield Related Services contract is necessary to provide additional time for the completion of the new contract award, especially in light of the impact of GSA lease negotiations on the airfield requirement.

For the foregoing reasons, and pursuant to FAR 6.302-1(a)(2)(iii), L-3 Communications Vertex Aerospace, LLC is the only responsible source to perform the Aircraft and Airfield Related Services requirement from April 1, 2015 through September 30, 2015.

Signature Page

Requirement Initiator:
Samuel Caires

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

Samuel Caires
Signature

6-30-14
Date

Contracting Officer:
Jill Willard

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(a)(12)]

Jill Willard
Signature

7/31/14
Date

CONCURRENCE:

Directorate Manager:
Charles W. Duff II
Director of Center Operations

CS Duff
Signature

9/5/14
Date

Procurement Officer:
Kelly G. Kaplan

Kelly G. Kaplan
Signature

9/5/14
Date

APPROVAL:

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

Lewis S.G. Braxton III
Signature

9/9/2015
Date

cc (after approval):
JAB/241-1