

**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 (ARC) Office of the Director of Exploration Technology (Code T)
Purchase Request No.:	Not Applicable
Procurement Title:	Space Technology Research and Development (STRAD)
Total Estimated Value:	No increase required to the current contract value of "FOIA Ex. 5"
Period of Performance:	April 1, 2015, through September 30, 2015
Statutory Authority: [FAR 6.303-2(b)(4)]	10 U.S.C. 2304(c)(1), <i>Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements</i>

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(b)(2)]

NASA Ames Research Center (ARC) proposes to negotiate a sole source contract modification with Engineering Research and Consulting, Inc. (ERC) to extend the period of performance of the current Space Technology Research and Development (STRAD) contract, NNA10DE12C, for up to six months, pending completion of the competitive Entry Systems Technology Research and Development (ESTRAD) procurement. The six-month extension will consist of a two-month base and four, one-month option periods. This extension would extend the current period of performance from April 1, 2015, to no later than September 30, 2015, if ARC exercises all options.

ARC awarded the STRAD contract on April 1, 2010, with a performance period of April 1, 2010, through March 31, 2015 (after exercising all of the options). Procurement efforts for the ESTRAD procurement began in May 2013. The ESTRAD procurement schedule has been impacted by the following: (1) delays associated with the appointment of a new Source Evaluation Board (SEB) chair, (2) delay in receiving required technical documents for the solicitation, (3) waiving of legal review to post the draft request for proposal, and (4) cost/price evaluation of proposals. The ESTRAD procurement is in the final stages of the procurement process; therefore, this short extension will allow selection, small business size challenge notifications, debriefings, award, completion of contract phase-in, and any potential further actions that may arise.

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

The purpose of this JOFOC is to extend the current STRAD contract for six months. The STRAD contract must be extended to ensure uninterrupted support for the highly-specialized scientific, engineering, technical, and documentation support for engineering research and development work in the areas of Exploration Technology. The STRAD contract supports the development of technologies for use in the design, fabrication, characterization and testing of thermal protection systems for vehicles that travel at hypervelocities in the atmosphere of Earth and other bodies in the solar system. In addition, STRAD also supports critical NASA missions in nanotechnology, advanced materials, sensors and devices, and supports various projects with planned tests and launch dates. The contractor personnel have specific experience and expertise that is required to meet technical objectives and schedule deadlines.

The current contract value is "FOIA Ex. 5". The estimated value of the services for the six-month extension is "FOIA Ex. 5", based on the Independent Government Cost Estimate (IGCE). The IGCE was based on a review of labor, materials, and a technical review of the continuing test schedule and operations, maintenance and development projects requirements anticipated during the extension performance period. The current maximum value of the STRAD contract does not need to be increased for the extension.

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

The statutory authority is 10 U.S.C. 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 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. Based on the rationale set forth below, the incumbent contractor is the only responsible source that can reasonably satisfy the short extension of the current STRAD until award of the ESTRAD contract and completion of the 30 day phase-in.

The six-month extension to the STRAD contract is necessary to provide coverage of the critical, highly-specialized services, described above, pending completion of the ESTRAD procurement. If these highly-specialized services were acquired via a separate competition for a separate six-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-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 STRAD requirements. Again, these costs would be duplicative of costs that already need to be incurred as part of the follow-on requirement anticipated for award late in the second

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quarter of Fiscal Year 2015. Hence, a six-month extension, rather than a new procurement for a six-month contract, is the only cost-effective and reasonable approach for NASA to take in the present situation

Further, the potential six-month extension to the STRAD contract is necessary to avoid unacceptable delays to NASA's critical requirements. If the extension is not approved, schedules for multiple projects and programs critical to NASA's mission will be irreparably delayed or disrupted. Programs from ARMD, STMD, HEOMD and SMD as well as programs from external sources such as industry through Space Act Agreements would all be halted without extension of the contract. Specific projects include HEEETE, Orion, 3DMAT, Planetary Defense, Entry System Modelings, LDSD and MEDLI. Other activities which would be severely impacted include model assembly and arc-jet testing, operation of the ballistics range and EAST facility, safety, and IT support. Activities under Space Act Agreements have contractual schedules that would be jeopardized. A separate competition, and award to, a potentially different vendor for a six-month period would neither be feasible nor reasonable given the current and on-going ESTRAD 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 and NASA.

Engineering Research and Consulting, Inc. (ERC, Inc.) is highly qualified to continue performance of this contract at NASA ARC through the proposed performance period extension. The contractor's staff has demonstrated that it possesses the specialized knowledge necessary to perform the scientific, engineering, technical, and documentation support requirements for the various areas in exploration technology.

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 February 12, 2015, ARC posted a synopsis on the NASA Acquisition Internet Service (NAIS) and the Federal Business Opportunities (FedBizOpps) websites, which informed the public of the intent to extend Contract NNA10DE12C with ERC, Inc. The synopsis provided instructions for interested organizations to submit capabilities and qualifications to perform the effort to the Contract Specialist. The Contract Specialist 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(b)(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 new task orders under the contract, a proposal analysis will be performed in accordance with FAR 15.404. The proposal analysis will include cost and price evaluation techniques to ensure that the final agreed-to price for any task orders issued during the extension period 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 task order negotiations.

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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)]

ARC conducted market research in support of the decision to award this extension to ERC, Inc. ARC posted a synopsis on the NAIS and FebBizOpps websites as stated in paragraph E above, and no interested parties responded. Based on the Contracting Officer's Representative's (COR) technical knowledge of the current STRAD requirements, and for all of the other reasons stated herein, ERC, Inc. is the sole responsible source able to fulfill the critical STRAD requirements pending the award and 30 day phase-in of the ESTRAD contract.

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

The COR, Sylvia Johnson, *along with the CO* have determined that ERC, Inc. is highly-qualified to perform the proposed contract extension at ARC through September 2015. ERC, Inc. can continue to provide scientific, engineering, technical, and documentation support for the various areas of exploration technology at ARC. Since the award of the STRAD contract, ERC, Inc. has received performance ratings of "Very Good." ERC, Inc. can seamlessly provide the support for the STRAD contract without unacceptable delays or substantial duplication of cost to the Government.

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

No other source expressed interest in providing the additional work required by this extension.

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)]

There are no actions the agency needs to take to remove or overcome any barriers to competition before any subsequent acquisition for these services. The government identified a number of qualified and interested contractors to compete this requirement as a small business set aside.

ARC is currently in the process of completing the competitive procurement (as a small business set aside) for the ESTRAD requirement. This sole source award of a six-month extension to the STRAD contract is necessary to provide the additional time to complete the final phases of the ESTRAD procurement and continue to provide critical research and development support services requirements under the STRAD contract through the 30 day phase-in of the ESTRAD contract.

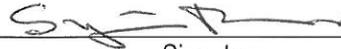
For the foregoing reasons and to prevent unacceptable delays and substantial duplication of costs in fulfilling the highly-specialized STRAD requirements of ARC, ERC, Inc. is clearly the only one responsible source to support the current STRAD requirements for the proposed six-month contract extension pending completion of the award process of the ESTRAD procurement.

Signature Page

Requirement Initiator:

Sylvia Johnson
Contracting Officer Representative

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



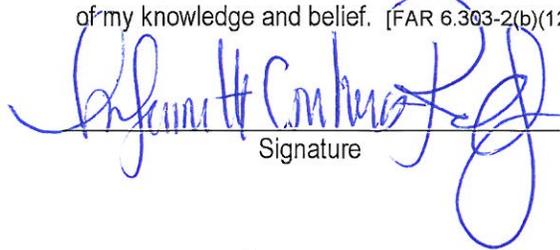
Signature

3/23/2015
Date

Contracting Officer:

AnJennette Contreras-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

3/23/2015
Date

CONCURRENCE:

Directorate Manager:

Eugene Tu, Director
Exploration Technology



Signature

3/23/15
Date

Procurement Officer:

Kelly G. Kaplan



Signature

3/25/15
Date

APPROVAL:

Center Competition Advocate:

Charles Smith
ARC Deputy Director (Acting)



Signature

3.27.15
Date

cc (after approval):
JAI/241-1