JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

AGILE TRANSPORTATION FOR THE 21st CENTURY (AT21)
BUSINESS PROCESS MANAGEMENT (BPM)
HC1028-08-D-2025-6S01: Mod 35

1.   **IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY.**

United States Transportation Command, Directorate of Acquisition, DPO Support Division (USTRANSCOM/TCAQ-DPO), 508 Scott Drive, Scott AFB IL 62225-5327.

2.   **NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED.**

USTRANSCOM/TCAQ AT21 Program Management Office (AT21 PMO) requires webMethods® and Flash programming to ensure support of the Group Operations Passenger System (GOPAX). The Contractor will provide a combination of engineering and technical assistance to support sustainment efforts for GOPAX within USTRANSCOM and the Transportation Component Commands (TCCs). USTRANSCOM/TCAQ AT21 PMO requires other than full and open competition for acquisition of this support, by satisfying these requirements through modification of the subject contract, HC1028-08-D-2025. The task order was previously competed among the ENCORE II Indefinite-Delivery, Indefinite-Quantity (IDIQ) multiple award contract holders in accordance with the ENCORE II IDIQ ordering procedures.

In accordance with FAR 16.505(b)(2), this acquisition is being conducted under the authority of ordering under multiple award contracts – exceptions to the fair opportunity process. Award of a cost plus award ENCORE II task order to SAIC was completed in March 2010 to fulfill the scope of work that included design, development, delivery and installation of business process management (BPM) content and application routines into a fully configured BPM Suite.

Only SAIC (1710 SAIC Drive, Mc Lean, VA 22102-3703) has qualifications and immediate availability to successfully complete the services. Approval is required to add services for 16 June 2014 thru 30 September 2014.

3.   **A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS (INCLUDING THE ESTIMATED VALUE).**

USTRANSCOM must complete software sustainment project before the end of OY4 period of performance. This task is not developing new operational software code. This effort will improve supportability, maintainability and ready for future development efforts. These sustainment requirements are described within the current PWS, Task 12; ENTERPRISE CAPABILITY AND TOOL SUPPORT, sub tasks 1.3.12.2 Model and Design and 1.3.12.3. This provides software maintenance support for agile-developed software packages to change operational software to implement minor enhancements in response to changed and unpredictable requirements. webMethods® and Flash programmers associated with this work are only required for the remainder of FY14. Fulfilling this requirement will ensure GOPAX meets USTRANSCOM's global support mission.

This support is required for the remaining of FY14 - Award through 30 September 2014. The OY4 funding modification will add ██████ to support the already-contracted sustainment effort.

4. IDENTIFICATION OF THE EXCEPTION TO FAIR OPPORTUNITY AND THE SUPPORTING RATIONALE, INCLUDING A DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE EXCEPTION CITED.

FAR 16.505(b)(2)(i)(C) –The proposed work must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to support already issued under this task order.

USTRANSCOM must complete GOPAX sustainment projects before the end of FY14. SAIC is the only contractor with the capability to deliver and support these projects in the necessary timeline. Soliciting this work will cause unnecessary delays due to lack of familiarity and cost the Government additional funding in ramp up costs. By issuing this modification to the AT21 BPM task order, the Government will get a final product that is delivered and implemented sooner, less expensively and is more compatible with current AT21 BPM operations. SAIC's knowledge of USTRANSCOM's development and production environments, business rules, coding standards, software integration processes and testing processes is critical to the success of this requirement. Additionally, this BPM contract delivered a specific SAIC methodology for designing, developing, delivering and sustaining these operational capabilities, which will increase the efficiency of GOPAX. The Government mandated use of a specific business process methodology under this contract, and only SAIC can deliver it timely and affordably to meeting mission needs.

GOPAX needs to start the increased sustainment effort as soon as possible to facilitate completion by the end of FY14. SAIC is uniquely positioned to provide this support because they are currently under contract to perform this work under Task 12; ENTERPRISE CAPABILITY AND TOOL SUPPORT, sub tasks 1.3.12.2 Model and Design and 1.3.12.3. This provides software maintenance support for agile-developed software packages to change operational software to implement minor enhancements in response to changed requirements. As a result, SAIC possesses the knowledge for USTRANSCOM's software development and fielding strategy which enables them to satisfy these requirements without any additional familiarization, training, and transition time.

Current support is provided through the AT21 BPM effort on the DISA Encore II contract vehicle. At the time of notification and after consulting with TCAQ-DPO, we determined the timeline for acquiring similarly qualified support through full and open competition of a new contract would require approximately nine months, with an expected earliest award date in December 2014. Additionally, the new contractor would require 2-3 months to become fully proficient with environment and methodologies to be capable of completing the sustainment task. As a result, contract solicitation, through full and open competition, will result in unacceptable constraints to USTRANSCOM operational mission support capability.

5. DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.

This requirement will be satisfied by increasing the level of effort under the existing PWS Task 12; ENTERPRISE CAPABILITY AND TOOL SUPPORT, sub tasks 1.3.12.2 Model and Design and 1.3.12.3. The Government anticipates issuing this task order modification under SAIC's current AT21 BPM Task Order. The Government will determine the pricing fair and reasonable by comparing the labor hours proposed by SAIC to the labor hours approved as fair and reasonable under the current task order, which was awarded competitively under the Encore II IDIQ Contract. TCAQ will also perform a thorough technical review of the labor hours and skill mix proposed by SAIC. Based on this approach, the Contracting Officer anticipates that a fair and reasonable price will be obtained.

6. ANY OTHER FACTS SUPPORTING THE JUSTIFICATION

N/A

7.   **A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE EXCEPTION TO FAIR OPPORTUNITY BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SERVICES IS MADE.**

The services required under this acquisition were previously procured in a competitive environment. A sole source modification will be executed to add support to the current period of performance for the existing task order. The Government intends to re-compete this effort at the end of the task order, ensuring a competitive source selection is conducted.

8.   **CONTRACTING OFFICER CERTIFICATION.**

I certify that the data supporting the recommended use of this justification for an exception to fair opportunity is accurate and complete to the best of my knowledge and belief. I hereby determine that the circumstances cited in paragraph 4 apply to this order.

███████████████████████████   6/5/14
ANDREA C. MOUSER   DATE
Contracting Officer

9.   **TECHNICAL AND REQUIREMENTS PERSONNEL CERTIFICATION.**

I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

████████████████████████████   5 Jun 14
TIMOTHY G. CHILDRESS   DATE
AT21 Program Manager