

## JUSTIFICATION AND APPROVAL

### USTRANSCOM JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

#### STEVEDORING & RELATED TERMINAL SERVICES (S&RTS) PORT OF MESSAIEED, QATAR W52P1J-09-D-0037

#### 1. CONTRACTING ACTIVITY

United States Transportation Command (USTRANSCOM), Directorate of Acquisition, Specialized Transportation and Support Division, 508 Scott Drive, Building 1900W, Scott AFB IL 62225-5357.

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

Surface Deployment and Distribution Command requires continued support for Stevedoring & Related Terminal Services (S&RTS) at the Port of Messaieed, Qatar with Inchcape Shipping Services (Dubai) L.L.C. The current contract expires on 20 July 2014. A six (6) month contract extension will meet mission requirements while on-going competition for the follow-on acquisition is being competed. The current Period of Performance (PoP) on the contract is from 21 July 2009 through 20 July 2014. A six month contract extension will be awarded from 21 July through 20 January 2015, In accordance with Federal Acquisition Regulation (FAR) 52.217-8, Option to Extend Services. The total estimated value for this action is [REDACTED]

#### 3. DESCRIPTION OF THE SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS

The contract will provide the 595<sup>th</sup> Transportation Brigade with the requirements needed to maintain current and future operations. The contractor shall provide S&RTS for the movement of military cargo, to include qualified labor, gear, equipment and materials to satisfy the scope of the requirement. The extension includes the procurement of vessel loading, vessel discharging, receipt of cargo, disposition of cargo, stuffing/unstuffing of cargo, intra-terminal transfer of cargo, onward movement of cargo, management expertise, yard management, material handling equipment support, container management, RFID management, movement and control reporting.

Specifically, the contract will be extended six (6) months form 21 July 2014 through 20 January 2015. The contractor is in-place and the extension will allow 595<sup>th</sup> Trans Bde the opportunity to plan, execute and complete the ten missions scheduled during the six month extension.

The contract also provides Lashing services which secures cargo on military trucks in accordance with military regulations. The contractor facilitates cargo movement which includes physically processing all customs declaration documentation with the Qatar Customs Office. They provide a variety of customs services to help expedite the movement of all military cargo. They provide diving operation services, which includes arranges inspections and visually inspection of all berth(s), to include the inner boat basin, which have been assigned to SDDC-

Qatar for vessel operations. The Port Dive team also inspects berth(s) for debris, hazardous material, and adequate draft (seabed depth). They also provide SDDC-Qatar with still photos to look for anomalies and inspects the Pilot boat "Zarka" at Mesaieed Port for functionality, debris, and hazardous items prior to Pilot boat escorting the vessel to berth.

The current contract was originally awarded in July 2009 by Rock Island Contracting Command (RICC), which included a base period with 4 option years. The original evaluation did not include a price evaluation for the six month extension. Approval is sought for the extension, Federal Acquisition Regulation (FAR) 52.217-8, Option to Extend Services, which was included in the contract. An approval is being sought for six (6) months starting 21 Jul 2014 through 20 January 2015 for a total estimated value of [REDACTED]

**4. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION**

The statutory authority permitting the use of other than full and open competition is 10 U.S.C. 2304(c)(1) as implemented by FAR 6.302-1(a)(2)(iii)(B)-- Only one responsible source and no other supplies or services will satisfy agency requirements. Services are deemed to be available only from the original source for the continued provision of highly specialized services when award to any other source will result in unacceptable delays in fulfilling the agency's requirements.

**5. DEMONSTRATION THAT THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

On 10 October 2013, HQ SDDC Acquisition Center personnel received a letter dated 2 October 2013, stating that the U.S. Military Surface Deployment and Distributions Command will no longer require delegated procurement authority from U.S. Army Contracting Command (USACC) effective 1 January 2014 and the procurement office will be disestablished. As a result, all S&RTS contracts were transferred on 1 Nov 13 to U.S. Transportation Command (USTRANSCOM). Based on the following reasons, the 595<sup>th</sup> Trans Bde, determined that only one source, Inchcape Shipping Services (Dubai) L.L.C. is capable of meeting the operational requirements with the highest degree of confidence and minimizing unanticipated disruptions.

Inchcape Shipping Services (Dubai) L.L.C. has been in place since Jul 2009. Current and ongoing missions are a necessity and must not have an interruption in services. [REDACTED]

[REDACTED]



**6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE**

Inchcape Shipping Services (Dubai) L.L.C. is the incumbent contractor for this extension and is uniquely qualified to perform the required work. This extension is being awarded in accordance with FAR 52.217-8, Option to Extend Services. Competitive offers were not sought for the proposed six (6) month extension of services. A competitive RFP for S&RTS at Qatar is currently underway and a Request For Information (RFI) was posted to industry in May 2014.

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

The base year and option year prices to provide the S&RTS for the movement of military cargo were determined fair and reasonable at the time of award based adequate price competition (FAR 15.403-1(c)(1)(i). This is a six (6) month option to extend services from a previously competed requirement in which proposals were received from two (2) competing offerors. The anticipated cost of the six month extension is considered fair and reasonable based on previous price competition and a comparison of historical prices paid for this service (FAR 15.404-1(b)(2)(ii).

**8. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED AND THE RESULTS**

On-going efforts will be taken to conduct market research for a Request for Proposal (RFP) to be posted for the upcoming S&RTS contract renewal. A sources sought notice will be posted to Federal Business Opportunities (FBO) to help to identify interested sources.

**9. OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMETITION**

None.

**10. A LIST OF THE SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AND INTEREST IN THE ACQUISITION**

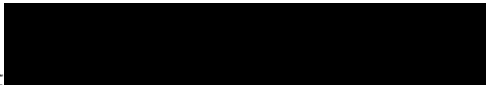
None.

**11. A 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**

USTRANSCOM is currently planning the follow-on competitive procurement. The six-month extension 21 Jul 2014 through 20 Jan 2015 will allow the continuation of services until a new contract is awarded.

**12. CONTRACTING OFFICER CERTIFICATION**


I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

  
\_\_\_\_\_  
EMILY S. TIFT \ O  
Contracting Officer

11 June 14  
Date

**13. TECHNICAL/REQUIREMENTS PERSONNEL CERTIFICATION**

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief

  
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G. BRIAN RIVERA III  
Chief, Global Business Development Division, HQ SDDC

16 JUNE 2014  
Date

**CONTRACTING ACTIVITY:** USTRANSCOM/TCAQ-R

**PROGRAM/PROJECT:** Qatar Stevedoring & Related Terminal Services (S&RTS)

**AUTHORITY:** FAR 6.302-1(a)(2)(iii)(B)

**ESTIMATED CONTRACT COST:** [REDACTED]

**REVIEW AND APPROVAL:**

[REDACTED]  
EMILY S. TIFT  
Acting Chief, Transportation Support Branch

11 June 14  
Date

[REDACTED]  
MARY ELLEN GREEN  
Chief, Specialized Transportation & Support Division

17 June 14  
Date

[REDACTED]  
Office of the Staff Judge Advocate

19 Jun 14  
Date

[REDACTED]  
JEFFERY J. BEYER  
Chief, Business Support & Policy Division

20 Jun 14  
Date

**APPROVED:**

[REDACTED]  
MICHELLE M. MENDEZ  
Competition Advocate

20 Jun 14  
Date