

JUSTIFICATION AND APPROVAL

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

**BEAUMONT
STEVEDORING & RELATED TERMINAL SERVICES (S&RTS)
W81GYE-10-D-0011**

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 (SDDC) requires continued support for Stevedoring & Related Terminal Service (S&RTS) at the Texas ports of Beaumont, Port Arthur and Corpus Christi, with Ports America Texas, Inc. The current contract expires on 31 July 2014. A six (6) month contract extension will meet mission requirements while on-going competition for the follow-on acquisition is being competed. A six (6) month contract extension will be exercised from 1 August 2014 through 31 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 842nd Transportation Battalion the requirements needed to maintain and sustain current and future operations. S&RTS is required for the movement of military cargo, military vehicles and equipment through the Port of Beaumont, TX in support of the national/strategic military interests of the United States of America. The 842nd Transportation Battalion is located on the Port of Beaumont, TX and serves as the Single Port Manager (SPM) for Department of Defense cargo transiting the Texas ports of Beaumont, Port Arthur and Corpus Christi. The 842nd US Army Transportation Battalion (842nd Trans Bn) is preparing for multiple back-to-back and concurrent missions at Beaumont, Texas.

The 842nd Transportation Battalion is continuing to expect three to four vessel discharges per month, along with port clearance, loading boats/trucks/Military Van (MILVAN) and trailers from 1 August 2014 through 20 January 2015.

The 842nd Transportation Battalion also anticipates shipping and receiving [REDACTED] of cargo from 1 August 2014 through 20 January 2015.

[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(d)(1)(b), as implemented by Federal Acquisition Regulation (FAR) 6.302-1 (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.

SDDC/AQ awarded the current contract in September 2010 which included a base period and three (3) one-year option periods. A six (6) month extension will be awarded extending the contract through 31 January 2015. S&RTS contracts were transferred from SDDC/AQ to USTRANSCOM/AQ on 1 November 2013. Seven Contiguous United States (CONUS) S&RTS contracts were transferred to USTRANSCOM/AQ at that time, to include Beaumont S&RTS contract. Since the contracts were transferred to USTRANSCOM, market research has been accomplished with the posting of an RFI in January 2014 to obtain industry feedback on the procurement of S&RTS services. Extensive efforts have been taken to standardize the S&RTS requirements in order to streamline the acquisition process for all seven upcoming CONUS S&RTS acquisitions. Specifically, the Government worked with SDDC HQ, Brigades, and Battalions to create a standardized PWS to be used in the procurement of all S&RTS contracts and is currently in the process of developing a standardized RFP. The standardized RFP will be known as the Master RFP and will be posted to industry in advance of procuring any specific S&RTS requirements. This will give industry time to ask questions and the Government time to research answers while each individual S&RTS requirement is developed. Furthermore, extensive market research has been conducted in order to ascertain the possibility of consolidating any of the CONUS S&RTS contracts with the posting of Amendment one to the RFI in March 2014. Amendment one sought for industry feedback regarding a consolidated approach in order for the Government to determine if such an approach could potentially be more cost effective or more operationally efficient than procuring seven (7) separate CONUS contracts. The total estimated value for this action is [REDACTED]

Ports America Texas, Inc. is the current S&RTS contractor knowledgeable in the specialized services required for movement of DOD cargo through the Port of Beaumont, Port Arthur and Corpus Christi, TX of 842nd Transportation Battalion. The contractor has been in place since 2010, providing handling of DOD sponsored export and import cargo for SDDC. The contractor is experienced in vessel loading, vessel discharge, receipt of cargo, disposition of cargo, stuffing/unstuffing of cargo, intra-terminal transfer of cargo and onward movement of cargo. Ports America Texas, Inc. has been exposed to the safety intricacies of the equipment. Current on-going missions are a necessity and must not have an interruption in services. Interruption of the on-going mission support has implications with higher global impact of the extension not being approved. It is determined that only one source, Ports America Texas, Inc., is capable of

[REDACTED]

meeting the operation requirements with the highest degree of confidence and minimizing unanticipated disruptions.

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

Ports America Texas, Inc. 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 since the new acquisition is in process for the follow-on. TCAQ anticipates releasing the new competitive Request for Proposals (RFP) in August 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 on adequate price competition in (FAR 15.403-1(c)(1)(i)). This is a six (6) months extension from a previously competed requirement in which proposals were received from four (4) competing offerors. This extension will be at the current rates specified in the contract which were determined 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 are underway to issue a competitive Request for Proposal (RFP). TCAQ-R conducted extensive market research for the follow-on requirement. RFI HTC711-14-R-R003, was posted on Federal Business Opportunity (FBO) 6 January 2014, an amendment to the RFI was posted on 27 March 2014. No additional market research efforts were conducted for the six (6) month extension.

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

None.

10. A LISTING OF THE SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION.

Jones Stevedoring
Ports America
ETC Logistics
Metro Ports
Safe Ports
Ceres Marine Terminals / Yusen Terminals Inc.



PORTUS Stevedoring
American Shipping & Logistics

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.

The government has begun the acquisition process of procuring the required services, TCAQ-R anticipates award in January 2015. Aggressive milestones for the follow-on requirement have been established to include adequate start-up time providing tht the contract is awarded to a company other than the incumbent.

12. CONTRACTING OFFICER CERTIFICATION.

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



WILLIAM R. HENDERSON

8 Jul 14
DATE



13. TECHNICAL REQUIREMENTS 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.


BRIAN G. RIVERA

10 July 2014
DATE



CONTRACTING ACTIVITY: United States Transportation Command, Transportation Support Branch, USTRANSCOM/TCAQ-R, 508 Scott Drive, Building 1900W, Scott AFB, IL 62225-5357

PROGRAM/PROJECT: Stevedoring Related Terminal Services (S&RTS) Beaumont Extension

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

ESTIMATED CONTRACT COST: [REDACTED]

REVIEW AND APPROVAL:

[REDACTED]

EMILY S. TIFT
Acting Chief, Transportation Support Branch

14 July 14
Date

[REDACTED]

MARY ELLEN GREEN
Chief, Specialized Transportation and Support Division

14 Jul 14
Date

[REDACTED]

Office of the Staff Judge Advocate

14 Jul 14
Date

[REDACTED]

JEFFERY T. BEYER
Chief, Business Support/Policy Division

15 Jul 14
Date

[REDACTED]

MICHELLE M. MENDEZ
Competition Advocate

15 Jul 14
Date

[REDACTED]