



Justification for an Exception to Fair Opportunity or to Use Brand-Name Restriction

Is this a brand-name justification? Yes No

Contracting Activity: AFLCMC/AZS
Purchase Request: FA8622-15-F-8130
Program Name (and Program Element, if applicable): Engineering, Professional, and Administrative Support Services (EPASS), Medium Altitude Unmanned Aerial Systems (MAUAS) Division Task Order
Estimated Cost/Price of the Order (including options): \$30,500,000
Type Program (see AFFARS 5302.101 for definitions): <input checked="" type="checkbox"/> PEO Program <input type="checkbox"/> Other Contracting
Fair Opportunity Exception: FAR 16.505(b)(2)(i) , subparagraph <input type="checkbox"/> (A) <input type="checkbox"/> (B) <input checked="" type="checkbox"/> (C) <input type="checkbox"/> (D) <input type="checkbox"/> (E)
Type of Determination: <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Class Expires: [click and select]

[Click here](#) for instructions to complete the boxes below.

(1) Contracting Activity:
AFMC/AFLCMC EPASS Program Office (AFLCMC/AZS) 1801 Tenth Street Wright-Patterson AFB, OH 45433 PCO: Kathryn G. Sprowle, (937) 255-2970

(2) Nature and/or description of the action being approved:
<p>The proposed Exception to Fair Opportunity (EFO) is a modification to Engineering, Professional, and Administrative Support Services (EPASS) Task Order FA8622-15-F-8130 Medium Altitude Unmanned Aerial Systems (MAUAS), WPAFB, OH using the General Services Administration's (GSA's) One Acquisition Solution for Integrated Services (OASIS) Small Business (SB), Multiple Award Contract Indefinite Delivery Indefinite Quantity (MAC IDIQ), GS00Q14OADS732. The task order was issued against Pool 6 using NAICS code 541712. The modification is within the period of performance and within the maximum value of the MAC IDIQ OASIS contract. The period of performance of OASIS SB is from June 20, 2014 through June 19, 2019, with one 5-year option, if exercised. There is no maximum dollar ceiling for OASIS SB. This proposed ceiling increase allows for further modifications to the existing task order for additional support to the Cost Plus Fixed-Fee (CPFF) and Cost Reimbursable (CR) CLINs. This additional support stems from growing mission requirements not discretely included at time of task order award and is required to avoid gaps in critical mission support services to multiple programs serviced by the EPASS task order for MAUAS Division of the Intelligence, Surveillance, & Reconnaissance/Special Operation Force (ISR/SOF) Directorate located at Wright-Patterson Air Force Base (WPAFB), OH, the Detachment 3 (Det 3) located at the General Atomics-Aeronautical Systems, Inc. (GA-ASI) facility in Poway, CA and Gray Butte, CA, the WIIQ Operating Locations in San Bernardino County, CA and Creech AFB, NV, and AFLCMC/WIILR located at Robins AFB, GA. The MAUAS Division of the ISR/SOF Directorate has the mission responsibility to support UAS platforms to include the development, test, production, and sustainment of the MQ-1 and MQ-9 UAS aircraft fleet. This increase is consistent with the Competition in Contracting Act (CICA) in that the additional work is within the general scope of the work of GSA's OASIS SB MAC IDIQ contract. An AFLCMC/CC policy memo, updated 24 August 2017, identifies the EPASS PMO as the mandatory source for all AFLCMC Advisory and Assistance Services (A&AS) requirements.</p> <p>The EPASS program provides a broad range of performance and knowledge-based support to the program offices and functional staff within AFLCMC, to include Geographically Separated Units, detachments and</p>



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operating locations. The EPASS program has already begun planning for the follow-on Fair Opportunity Competition and the EFO provides the ceiling to cover increased requirements pending that award and transition from current task orders.

(3) Description of the supplies/services required to meet the agency's needs:

The type of performance-based services being acquired under this program include, but are not limited to, a full spectrum of engineering, program management, logistics management, financial management, administration, equipment specialist, data management, and security assistance in support of system/program activities across the entire task order covered by this EFO.

The additional A&AS requirements include the following with Periods of Performance (PoPs): Modification Award Date to 31 May 2018 (Option Yr 2), 01 Jun 2018 to 31 May 2019 (Option Yr 3), and 01 Jun 2019 to 31 May 2020 (Option Yr 4).

- Engineering Support, Acquisition Management Support, Logistics Management Support, Financial Management Support, Security Management Support, and Management Analyst Support

The original Task Order award amount was \$97,750,033 and a Special H Provision in the task order allowed a within-scope increase in value of up to 50%, or by \$48,875,017 to \$146,625,050. Current task order value is \$143,822,516 with an available ceiling of \$2,802,534 remaining. Due to new requirements being developed, and within the scope of the effort competitively awarded on contract, the customer expects to utilize all the remaining ceiling. The value of the EFO is an increase of \$30,500,000, 20.8% above the current \$146,625,050 ceiling based on new requirements;

Upon approval of the EFO, the total dollar authorized under the Task Order will be \$177,125,050.

(4) Identification of the exception to fair opportunity and the supporting rationale:

The EFO is IAW FAR 16.505(b)(2)(i)(C). This action is being awarded on a sole source basis in the interest of economy and efficiency because it is a logical follow-on to the strategic sourcing task order already issued under EPASS. The determination was made that the original task order be solicited to the entire GSA OASIS SB Pool 6. All Pool 6 IDIQ contractors were provided a fair opportunity to be considered for the Basic Task Order award which the EFO will modify. The EFO will keep strategic sourcing for the customer's A&AS support consistent and stable. The EFO provides the logical follow-on expansion to the requested value and allows support prior to the award of the follow-on competed task order. Sumaria Systems, Inc is the contractor that received the basic Task Order. The task order provides A&AS support to the MAUAS Division located at WPAFB, OH, Det 3 at the GA-ASI facility in Poway, CA and Gray Butte, CA, the WIIQ Operating Locations in San Bernardino County, CA and Creech AFB, NV, and AFLCMC/WIILR located at Robins AFB, GA.

Market Research

The original Market Research Report was completed on 08 Aug 2014 for the MAUAS task order, with an



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update on 5 Jan 2018. There were three factors that drove the approach for the updated Market Research: 1) The MAUAS Division A&AS requirement falls under the AFLCMC/CC policy mandating the use of the EPASS PMO for A&AS ordering, 2) the EPASS PMO approved acquisition strategy is to utilize the GSA OASIS SB MAC IDIQ, and 3) the Contracting Officer determined NAICS code 541712 (Research and Development in the Physical, Engineering, and Life Sciences) appropriate for the acquisition and representative of the preponderance of the work. NAICS code 541712 falls under Pool 6 of the GSA OASIS SB MAC IDIQ. Results of the Market Research found that no other companies have entered into Pool 6 of the GSA OASIS SB MAC IDIQ. The MAUAS Division new A&AS requirements covered by this EFO are for the same overall type of A&AS performance requirements already documented in the EPASS Performance Work Statement (PWS) and are appropriate to add to the existing Task Order. [REDACTED] Sumaria Systems, Inc is a SB contractor under Pool 6 of the GSA OASIS SB MAC [REDACTED]

Logical Follow-On

Due to the nature of the acquisition of services currently being performed by Sumaria Systems, Inc, it is in the best interest of the Government to issue this EFO on a sole source basis in the interest of economy and efficiency. The work included in this EFO is a logical follow-on to the initially awarded task order because it is acquiring the same type of A&AS support for the same or related programs in the same period of performance. When offerors initially proposed on the MAUAS Division EPASS task order, the missions requiring A&AS support were listed in the PWS.

The additional work consists of the same labor categories proposed in the original task order solicitation (e.g., Program Management, Administration, Information Technology, Financial Management, Logistics management, Engineering, and Security Assistance support). The EPASS acquisition strategy envisioned the task order awardee providing A&AS support for the MAUAS Division mission requirements identified in the PWS. The work covered by this EFO is for more of the same requirements and is a logical extension of the work originally awarded to Sumaria Systems, Inc.

MAUAS Division has experienced extensive A&AS requirements growth due to increases in workload associated with development, acquisition and sustainment of the Predator/Reaper for both USAF and FMS mission requirements. There is a need for additional A&AS support.

The following list of new programs and activities highlights the unexpected growth of A&AS requirements that will still need to be addressed in the life of the current task order period of performance.

- 1) [REDACTED] received Letter of Request (LOR) for Letter of Offer and Acceptance (LOA) Aircraft (A/C) and Ground Control Stations (GCS) in Oct 17.
- 2) [REDACTED] expects LOR for LOA on A/Cs and GCSs by Jan 18.
- 3) [REDACTED] expects an LOR for LOA on A/Cs and GCSs in CY18.
- 4) [REDACTED] Pricing and Availability provided on Sep 17 and expects an LOR for LOA on A/Cs and GCSs by Mar 18.
- 5) [REDACTED] will require additional support with two new LORs for LOAs which was received in Nov 17.
- 6) [REDACTED] working with country on LOR for LOA on A/Cs and GCSs by Jan 19.
- 7) [REDACTED] received Pricing and Availability Sep 17 and expects an LOR for LOA on A/Cs and GCSs by Oct 18.
- 8) [REDACTED] working with country on LOR for LOA on A/Cs and GCSs by Jan 19.
- 9) [REDACTED] received four new LORs for LOA and expanded support for additional operational sites and will



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require additional support.

10) [REDACTED] received six new LORs in Jun 17 and will require additional support.

11) [REDACTED]

12) [REDACTED]

13) [REDACTED]

14) [REDACTED]

It is estimated that the Government would incur [REDACTED] of costs in order to compete this effort and award it to a different source. As discussed below these costs would not be expected to be recovered through competition. A detailed breakdown of these costs can be found in Tab 3, Estimate of Additional Costs.

Options and Impacts Considered

1. Award of another contract would result in multiple transition periods within 3 years and substantial duplication of costs to the Government that is not expected to be recovered through competition.

If the requirements currently on contract with Sumaria Systems, Inc and new requirements covered by this EFO are re-competed again under a new, separate EPASS task order, MAUAS Division will have to work through another personnel and administrative transition for an additional source selection within three years after the award to Sumaria Systems, Inc (vice five years). This would result in a substantial duplication of effort and costs to the Government. The additional costs associated with an unanticipated re-competition are not expected to be recovered through competition. Those costs to the customer, who serves a key role in the development and evaluations of a new award, include critical organic expertise and time taken away from the organization's current mission, in order to conduct an additional source selection.

During transition(s), significant Government resources are expended to fully integrate employees into the MAUAS Division critical missions. When a new contract is issued (even if the contractor is the same), the government will be responsible for paying contractor labor costs while employees fully in-process into the MAUAS Division organization under the new contract. At a minimum, in-processing requires each contractor employee 2-3 business days to obtain a Common Access Card (CAC) and an additional five business days to gain access to the network. Another 2-5 days may also be required for contractor employees to in-process for security validation, completion of a Form DD 2875, System Authorization Access Request, for each information technology (IT) system used for performance of work (typically multiple systems per contractor employee), completion of mandatory DoD Information Assurance on-line training, and completion of a Visitor's Group Security authorization. This results in the Government having to pay hourly labor costs during in-processing with no performance of workload requirements in the PWS. Another possible impact is the potential for high turnover of current incumbent contractor personnel due to an unstable environment created by the additional competition of the task order within three years of the initial award as employees leave due to uncertainty, resulting in degradation of support to the customer.

Turnover would further increase ramp-up time for the potential new contractor, as well as the Government. Spin-up of brand new contractor employees unfamiliar with the PWS workload adds to the inefficiency of



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costs, as they learn processes, procedures and IT systems to fully perform requirements. This ramp-up time to reach stable operations would severely impact an already overburdened MAUAS Division and further delay fulfilling Special Operations Command (SOCOM) requirements.

2. Impractical to have two contractors in the division/branch at a single location.

In support of MAUAS Division mission requirements, EPASS awarded the strategic sourcing task order ensuring one contractor would perform the A&AS requirements for MAUAS Division program offices located at WPAFB, OH, Det 3 at the GA-ASI facility in Poway, CA and Gray Butte, CA, the WIIQ Operating Locations in San Bernardino County, CA and Creech AFB, NV, and AFLCMC/WIILR located at Robins AFB, GA. Eight contracts with differing start dates were consolidated into a single MAUAS Division task order under EPASS to realize management efficiencies and resource savings. That task order was awarded to Sumaria Systems, Inc under the GSA OASIS SB contract. It is inefficient for the Government to carve out the additional work identified on the EFO that was not originally competed and award that work under a new and separate EPASS task order for the same Directorate and location(s). If the incumbent contractor did not win the new task order for the additional work, it would be very inefficient for two contractors to be working within the same organization to perform the same requirements within the PWS.

The success of the EPASS acquisition strategy centers on achieving contractor efficiencies, government resource savings, and management efficiencies gained by consolidating multiple contracts for the same customer into a single EPASS task order. The delineation of tasks to be provided by more than one EPASS contractor within the organization would remove any economies and efficiencies that Sumaria System, Inc could realize by performing all EPASS tasks within the same organization and geographic location(s). MAUAS Division would also have to apply additional resources to manage a second EPASS contract. From a program management perspective, it is unclear how any work associated with any of the MAUAS Division programs would be apportioned between the two contractors, because the new contractor would be working on the same programs as the incumbent contractor and it would be extremely difficult to identify which contractor is responsible for which portion of the programs. Having two contractors working on the same tasks would negate all of the logistical gains realized in consolidation of previous contracts into one, and add a large degree of difficulty to the COR's duties (i.e. working with two (2) contractor program managers, completing two (2) different surveillances and verifying the hours and work completed per each contractor invoice, etc). Furthermore, the additional government overhead costs associated with having two contractors support the MAUAS Division, as opposed to one contractor, would not provide savings that could be recovered from breaking out requirements for separate competition, and the effort would be detrimental to the efficiencies and resource savings achieved through the EPASS acquisition strategy.

(5) Contracting Officer's determination that the anticipated cost to the Government will be fair and reasonable:

When additional support is identified it will be negotiated in accordance with procedures in FAR Part 15.4, which will ensure the cost to the Government is fair and reasonable. The Government will obtain certified cost or pricing data, as required, from Sumaria Systems, Inc and perform a comprehensive technical evaluation and cost/price analysis of the submitted proposals.

(6) Other facts supporting the justification:

None.



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(7) Actions the agency may take to remove or overcome any barriers to increasing fair opportunity before any subsequent acquisition for the supplies or services:

AFLCMC/AZS has taken all requisite approaches and maximized industry participation in the EPASS competitive effort. EPASS uses GSA OASIS SB which is a total small business set-aside, multiple award IDIQ contract. Per AFLCMC Policy Memo, Guidance on the Mandatory Use of Engineering, Professional, and Administrative Support Services (EPASS) for Advisory & Assistance Services (A&AS), updated 24 August 2017, the EPASS PMO is the mandatory source for procurement and management for all AFLCMC A&AS requirements.

Since August 2014, there have been 35 EPASS Task Order awards to 19 separate small businesses under the GSA OASIS MAC IDIQ.

It is the Government's intent to re-compete all MAUAS Division requirements (to include the new requirements projected within this EFO) for follow-on support to this EPASS task order, upon conclusion of the last option period. Market Research and planning for the follow-on fair opportunity competitions of all EPASS task orders is already underway.

(8) Program Manager's certification that supporting data is accurate and complete:

As evidenced by my signature below, I certify that any supporting data contained herein, which is my responsibility, is both accurate and complete.

(9) Contracting Officer's certification that the justification is accurate and complete:

As evidenced by my signature below, I certify that the justification is accurate and complete to the best of my knowledge and belief.

(10) Approving Official's determination that one of the circumstances in FAR 16.505(b)(2)(i) applies to the order.

As evidenced by my signature below, I hereby determine that the fair opportunity exception checked on page 1 applies.

Date	[Redacted]	Signature
19 Jan 2018	AFLCMC/AZS, [Redacted]	[Redacted]
Date	Contracting Officer Kathryn G. Sprowle, GS-13 AFLCMC/AZS, (937) 255-2970, DSN 785-2970	Signature
		[Redacted]
Date	Local Legal Reviewer	Signature
25 Jan 2018	[Redacted] AFMCLO/JANO, [Redacted]	[Redacted]



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Date 01 Feb 2018	Chief of the Contracting Office (COCO) [Redacted] AFLCMC/AZS, [Redacted]	Signature [Redacted]
Date 02 Feb 2018	Competition Advocate [Redacted] AFLCMC/PK, [Redacted]	Signature [Redacted]
Date	Approval Authority Kathy L. Watern, SES, DAF AFLCMC/CA, [Redacted]	Signature [Redacted]

