



**DEPARTMENT OF DEFENSE
MISSILE DEFENSE AGENCY
5700 18TH STREET
FORT BELVOIR, VIRGINIA 22060-5573**

**J&A No: 20-0004
Amendment 1 Contract No:
HQ0859-20-D-0001**

**JUSTIFICATION AND APPROVAL (J&A)
FOR OTHER THAN FULL AND OPEN
COMPETITION**

1. Introductory Paragraph. (No Change)

Upon the basis of the following justification, I, as the Director of Contracts for the Missile Defense Agency, hereby approve the issuance of the contractual action discussed below using other than full and open competition, pursuant to the authority cited herein.

2. Agencies and Contracting Activity (FAR Part 6.303-2(b)(1)).

This Justification and Approval (J&A) is for the MDA [Office of the CIO \(IC\)](#). The contracting activity is [MDA/DT-K](#), which provides contracting support to [MDA/ICN](#). The point of contact for this action is [REDACTED], Procuring Contracting Officer (PCO), a [REDACTED].

3. Nature and Description of the Action Being Approved (FAR Part 6.303-2(b)(2)).

This amended J&A approves the following: 1) Modification of the Base ID/IQ to extend the ordering period; 2) Modification of the base ID/IQ to extend the delivery period set out in 52.216-22, and; 3) Extend the period of performance for the four task orders currently awarded under the contract.

The Government intends to [modify the existing](#) single-award Indefinite Delivery, Indefinite Quantity (IDIQ) contract, [increasing the twelve-month ordering period to an eighteen-month](#) ordering period for the Advanced Research Center (ARC) (the “ARC Sole Source Contract”). The work [was previously](#) accomplished on contract HQ0147-07-D-0002 (“Current ARC Contract”) performed by COLSA Corporation. The ARC Sole source Contract and specified task orders will allow for the continuity of services through the delay for the protest period, corrective action, and the transition period.

The [Previous](#) ARC Contract” ordering period ended on September 16, 2018. Five task orders were issued to order performance for one year until September 16, 2019 for a base period of six (6) months with two 3 month option periods to allow for completion of a competitive acquisition.

A competitive source selection was conducted for award of a follow-on contract for the ARC (the “ARC Follow-on Contract”). The “ARC Follow-on Contract” was awarded on June 19, 2019 with a Period of Performance of June 19, 2019 – February 18, 2028, inclusive of a 90 day transition period. The award of the ARC Follow-on Contract was protested to the Government Accountability Office (GAO). MDA issued a stay of performance on the ARC Follow-on Contract and notified the GAO of its intent to take corrective action in response to the protests. **MDA is currently in the source selection evaluation phase of the corrective action, impacted by multiple protests/supplemental protests. The Agency expects to complete the corrective action within the next six months.** The “ARC Follow-on Contract” will remain under a stay until the corrective action is complete.

J&A 19-0027, dated September 5, 2019, authorized a sole source modification of the Current ARC Contract to extend services for up to six (6) months to allow for continuity of services through the delay on the ARC Follow-on Contract for the protest period, corrective action, and the transition period. Following approval of J&A 19-0027 and modification of the Current ARC Contract, support is in place through March 16, 2020 under the Current ARC Contract.

This **amended** J&A supports the modification of the current task orders 01, 02, 03, and 04, which were awarded with a base period of six (6) months with two (2) 3 month option periods of performance, March 17, 2020 – March 16, 2021. These four task orders will be extended for an additional six (6) months, with two (2) priced three (3) month option periods of performance, March 17, 2021 – March 16, 2022. These extensions will be achieved through the addition of three CLINs to each task order.

This **extended** ordering period will give the government flexibility to extend the ordering period to provide services for up to **eighteen months** depending upon the status of the corrective action for the follow on award and also ensure continuity of services through **an extended** transition period **driven by unforeseen COVID-19 restrictions. Furthermore, clause 52.216-22, Indefinite Quantity, will be revised to extend the delivery from March 16, 2022 to September 16, 2023.**

The **original** value of the **J&A** for the contract ceiling was \$35.7M. This amendment increases the ceiling by \$30M, from \$35.7M to \$65.7M. The initial value was sufficient to provide support for the first twelve (12) months of performance. The Government anticipates ordering the same support for up to another twelve (12) months. However, based on the historical performance, the necessary additional ceiling needed is \$30M. The ARC Sole Source Contract will provide continuing ARC support until the corrective action and the transition period for the ARC Follow-on Contract is completed.

4. Description of the Supplies and/or Services Required to Meet the Agency’s Needs (including the estimated value) (FAR Part 6.303-2(b)(3)).

The MDA requires support for the ARC for mission essential modeling and simulation, analyses, test and evaluation, and experimentation. Efforts will continue network and information technology infrastructure, test and developmental support, and cybersecurity and network security improvements. The current IGE for the sole source contract list a total estimated dollar amount of \$35.7M. **This amendment increases the ceiling to \$65.7M, supported by the historical costs of the initial award.** Best practices will be included in the task

order extensions to include:

- Contractor to adequately support transition of the ARC contract to the incoming Prime contractor
- Maintain and support network infrastructures in support of MDA GroundTesting
- Continue incorporation of DoDM 5200.01 "DoD Information Security ProgramVolume 1-4" requirements.
- Comply with Defense Technical Information Center (DTIC) Instruction 8500.01 for cybersecurity programprotection.
- Continue operation of classified networks WRT NIST 800 (171 and53)
- Monthly system wide IT analysis of vulnerabilities and risk mitigations
- Monitor DoD notifications of applicable Security Technical Implementation Guides (STIGS) and compliance with MDA Cyber Task Orders(CTOs)
- Continuation of Risk Mitigation Framework compliance and execution

5. Statutory Authority Permitting Other than Full and Open Competition (FAR Part 6.303- 2(b)(4). (No Change)

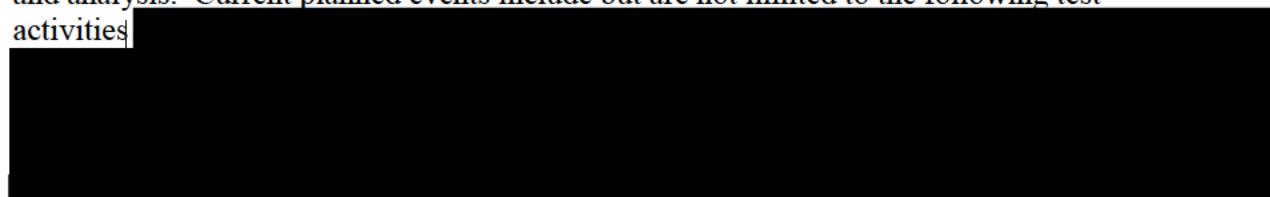
The statutory authority permitting other than full and open competition is 10 U.S.C. 2304(d)(1)(B) as implemented under Federal Acquisition Regulation (FAR) 6.302-1 (a)(2)(iii)(B), "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements:

(iii) For DoD, NASA, and the 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--

(B) Unacceptable delays in fulfilling the agency's requirements. (See 10 U.S.C. 2304(d)(1)(B).)"

6. Demonstration of Contractor's Unique Qualifications or the Nature ofthe Acquisition Requires use of the Authority Cited (FARPart6.303-2(b)(5)).

COLSA Corporation, as the incumbent contractor, is the only company that can ensure uninterrupted ARC operations during the protest period and transition period over to the ARC Follow-on Contract. If the period of performance of the Current ARC Contract ends without an executed extension, the Government will experience a gap in service and loss of knowledge during transition between contractors. A gap in service will result in significant disruptions to Ballistic Missile Defense System (BMDS) activities such as Hardware-in- the-Loop (HWIL), Ground Test (GT), and Modeling and Simulation (M&S) development testing and analysis. Current planned events include but are not limited to the following test activities



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7. Description of Market Research Conducted (FAR Part 6.303-2(b)(6), (8) and(10)).

Market research was conducted prior to the competition for the ARC Follow-on Contract and it was determined that there was a competitive market, as evidenced by the competitive source selection for the ARC Follow-on Contract. [The market research conducted as part of the acquisition planning for the ARC Follow-on Contact indicated there is a competitive market for this requirement. Multiple offerors proposed in response to the RFP for the ARC Follow-on Contract. Based on this market research and the competitive source selection, MDA has adequate insight into the market for these services and a Request for Information or Sources Sought Notice would not likely provide any additional useful information to support the acquisition strategy for the ARC Sole Source Contract.](#)

The requirement in PGI 206.302-1 to post a Request for Information was waived by the Director, MDA, on 26 November 2019.

A synopsis of our intent to issue an [increased ceiling to the current sole source contract to COLSA Corporation, and to extend the ordering period and period of performance](#) will be posted on the Contract Opportunities (beta.SAM.gov).

8. Determination of Fair and Reasonable Cost (FAR Part 6.303-2(b)(7)). ([No Change](#))

In accordance with FAR 15.402, the contracting officer shall ensure that all supplies and services under this contract are procured at a fair and reasonable price. The contractor will submit a formal priced proposal with certified cost or pricing data and sufficient information to support accuracy and reliability in any estimated costs. A thorough analysis of the proposed costs will be conducted. The analysis will include comparisons of proposed costs to costs realized on previous contracts with COLSA for the ARC program. The Contracting Officer will conduct thorough negotiations to ensure the settlement of fair and reasonable costs that are in the best interest of the U.S. Government.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition(FAR Part 6.303-2(b)(9)). ([No Change](#))

None.

10. Actions Taken to Remove Barriers to Competition (FAR Part 6.303-2(b)(11)). ([No Change](#))

MDA removed the barriers to competition and successfully awarded the ARC follow-on contract June 19, 2019 using competitive procurement procedures under the ARC follow-on acquisition strategy before the end of the extended orders. The effort proposed in this J&A ensures mission critical needs are met throughout the Agency.

11. **Technical/Requirements Official Certification (FAR Part 6.303-2(c)).** “I certify that this justification for other than full and open competition is made in good faith and that the supporting data and information are accurate and complete to the best of my knowledge and belief. I further certify that this request is not the result of a lack of advance planning.”

[REDACTED] Director, Network Operations (ICN)

12. **Contracting Officer (FAR Part 6.303(b)(12)).** “I have determined that the anticipated cost to the Government will be fair and reasonable and certify that the justification is accurate and complete to the best of my knowledge and ability.”

[REDACTED] Contracting Officer, DT-K

13. **Contracting Director (Program Level).** “I have reviewed the justification and recommend it be approved.”

[REDACTED] Director of Contracts, Test, DT-K

14. **Legal Counsel.** “I have reviewed the justification and determined it to be legally sufficient.”

[REDACTED] Deputy General Counsel, GC

15. **Recommendation of Competition Advocate.** “I recommend approval of the above justification.”

[REDACTED] Competition Advocate, DA

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16. Director of Contracts. “I have reviewed the justification and recommend it be approved.”

[REDACTED]

[REDACTED] Director of Contracts, CT (Acting)

17. Director for Acquisition. “In accordance with FAR Part 6.304, the above justification for other than full and open competition is hereby approved.”

[REDACTED]

[REDACTED] Director for Acquisition, DA (Acting)

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