

**JUSTIFICATION REVIEW DOCUMENT  
FAR SUBPART 13.5 SIMPLIFIED PROCEDURES FOR CERTAIN COMMERCIAL  
ITEMS – SOLE SOURCE JUSTIFICATION AND APPROVAL**

**Program/Equipment:** This contract supports US Service members transportation of both cargo and personnel in and out of theater, to include troop deployments and re-deployments is support of the Kosovo Force (KFOR) mission.

**Authority:** Simplified Procedures for Certain Commercial Items, 41 U.S.C. as implemented by FAR Subpart 13.5.

**Amount:** \$540,000.00

**Prepared by:**

[REDACTED]

**Contracting Officer:**

Roberto J. Gotay  
Contracting Officer  
Email: roberto.j.gotaygarcia.civ@mail.mil

DSN: 314-542-6918  
Date: 18 March 2019

**Technical:**

[REDACTED]

**Requirements:**

[REDACTED]

**Reviews:** I have reviewed this justification and find it adequate to support sole source.

**Program Manager:**

[REDACTED]

Signature:

[REDACTED]

**Legal Counsel:**

[REDACTED]

Signature:

[REDACTED]

**FAR Subpart 13.5 Simplified Procedures for Certain Commercial Items – Sole Source Justification and Approval**

**1. Contracting Activity:** RCO Balkans, Camp Bondsteel, APO AE 09340

**2. Description of Action:** Army Support Team Balkans (AST-B), as part of the KFOR mission, requests a firm-fixed price contract with Limak Pristina Int'l Airport. Award must be made before 3 April 2019. The anticipated contract will be funded with Operations and Maintenance, Army funds (MDEP VYUG).

☒ An acquisition plan is not required because this procurement does not meet the threshold at Defense Federal Acquisition Regulation Supplement 207.103(d)(i)(B).

**3. Description of Supplies/Services:** This is a services contract to provide Airfield and Air Terminal Services in support of contingency operations in accordance with Tri-Service Agreement (AFJI10-220) and Defense Contract Management Agency (DCMA) Instruction 8210.4. This ensures all aircraft are met, serviced, loaded/unloaded, according to Air Force Standards as defined in the Performance Work Statement (PWS at Pristina International Airport.

Base Period:	4 APR 2019 to 3 APR 2020	Value: \$180,000.00
Option Period 1:	4 APR 2020 to 3 APR 2021	Value: \$180,000.00
Option Period 2:	4 APR 2021 to 3 APR 2022	Value: \$180,000.00

Total: \$540,000.00

**4. Authority Cited:** Simplified Procedures for Certain Commercial Items, 41 U.S.C. 1901 as implemented by FAR Subpart 13.5:

- ☐ Unusual and compelling urgency
- ☐ Exclusive licensing agreements
- ☐ Industrial mobilization
- ☒ Other: Only One Responsible Source.

**5. Reason for Authority Cited:**

- According to Kosovo Forces Standard Operating Procedure (KFOR SOP) 4040 and Air Mobility Command (AMC) 124-101V14 regulation and International Air Transportation Association (IATA), the Government requires contract services for airport services such as aircraft marshaling and passenger screening for flights incoming and outgoing of Pristina, Kosovo, and in support of the KFOR mission. The Aerial Port of Debarkation (APOD) at the Pristina International Airport is the only available asset that satisfies all the air

movement requirements for U.S. and NATO forces in Kosovo. Limak is the sole source provider for these services as the Government of Kosovo has granted Limak the exclusive rights to perform airport services at the Pristina International Airport.

- The Pristina International Airport in Kosovo is a state owned property. It includes the KFOR military APOD as both share aircraft operating. Under Public Private Partnership Agreement PPP-09-001-611, dated 12 August 2010, the Government of Kosovo granted Limak exclusive rights for all airport services to include those at the KFOR APOD. This makes Limak the only provider for all airport services to include aircraft marshalling, airport surface maintenance (de-icing, sweeping, snow, ice, and Foreign Object Debris (FOD) removal), passenger and baggage screening/ handling services, and coordination of aircraft arrivals and departures with all appropriate officials.
- Limak currently provides airport services to other NATO partner nations. Limak is also providing some of the services to the U.S. Forces under contract W912SR17P0001. All other services as defined by the following services: (i.e. refueling, communications, aircrew transport, airport coordination) are being performed under the contract for Logistics Civil Augmentation Program (LOGCAP). However, airport services under the LOGCAP contract are in violation of Partnership Agreement PPP-09-001-611 and must be discontinued under the LOGCAP contract. As result, all airport services under the LOGCAP contract must be transferred under this sole source action.

**6. Efforts to Obtain Competition:** Based on the Private Partnership Agreement PPP-09-001-611, the Government of Kosovo granted Limak the exclusive right to provide airport services at the APOD.

**7. Actions to Increase Competition:** None are available at this time, as Limak is the only authorized contractor who can provide all the services required.

**8. Market Research:** Skopje Airport in Macedonia is another airport in the Area of Operation; however, Skopje Airport is not feasible due to its distance from Camp Bondsteel, degraded road conditions, customs requirements, and other force protection issues. Skopje Airport is at least 1 ½ - 2 hours away from Camp Bondsteel; almost double the time from Pristina to Camp Bondsteel.

**9. Interested Sources:** As per Partnership Agreement PPP-09-001-611, only Limak has the authorization by the Government in Kosovo to perform airport services at the Pristina International Airport and the APOD.

**10. Other Facts:** None.

**11. Technical Certification:** I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

[REDACTED]

[REDACTED]

**12. Requirements Certification:** I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

[REDACTED]

[REDACTED]

**13. Fair and Reasonable Cost Determination:** I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable. Prices will be determined fair and reasonable through the published price list for the same or similar services at Kosovo International Airport and other airports in that area of Europe if possible.

This determination will be made using the following: ☒ price analysis ☐ cost analysis ☒ IGCE ☐ audit:

As a part of this basis, certified cost or pricing data is not required because the item and/or services being acquired are considered commercial.

Typed Name: Roberto J. Gotay  
Title: Contracting Officer

Date: GOTAYGARCIA.R  
Signature: OBERTO.JOSE.11  
83437468

Digitally signed by  
GOTAYGARCIA.ROBERTO.JOS  
E.1183437468  
Date: 2019.03.26 13:20:21  
+01'00'

**14. Contracting Officer Certification:** I certify that this justification is accurate and complete to the best of my knowledge and belief.

Typed Name: Roberto J. Gotay  
Title: Contracting Officer

Date: GOTAYGARCIA  
Signature: .ROBERTO.JOS  
E.1183437468

Digitally signed by  
GOTAYGARCIA.ROBERT  
O.JOSE.1183437468  
Date: 2019.03.26  
13:20:53 +01'00'

**Approval**

Based on the foregoing justification, I hereby approve the procurement of Airport Handling Services on a sole source basis pursuant to the authority of the Simplified Procedures for Certain Commercial Items, 41 U.S.C. 1901 as implemented by FAR Subpart 13.5, subject to availability of funds, and provided that the services or supplies herein described have otherwise been authorized for acquisition.

Roberto J. Gotay  
Contracting Officer

Date: GOTAYGARCIA.R  
Signature: OBERTO.JOSE.118  
3437468

Digitally signed by  
GOTAYGARCIA.ROBERTO.JOSE.  
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Date: 2019.03.26 13:21:18  
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