

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN  
COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)**

1. I recommend that the U.S. Embassy Buenos Aires use other than full and open competition for the acquisition of the Health Insurance Policy for the LES employees. The estimated cost is **ARS Pesos 3,526,400.96 = US\$408,621.20** to extend the Embassy's contract with OMINT de SERVICIOS S. A. for an additional four (4) months. **ROE: (US\$1.00=ARS Ps\$ 8.63)**

2. *Nature and/or description of the action being approved.* The current extension period of performance will end on February 28, 2015. The purpose of this modification is to extend Embassy's current health insurance for a four 4-month period.

3. *A description of the supplies or services required to meet the agency's needs.* The Embassy requires continued health insurance services for its locally engaged staff (LES). This extension is necessary to ensure that there is no break in the insurance coverage provided while a new fully competitive solicitation is prepared/issued. The Embassy conducted its survey of competitors in April of 2014 and submitted the results to HR/OE in June 2014. Post has been working with HR/OE since that time to establish acceptable benefit levels for the new contract.

4. *An identification of the statutory authority permitting other than full and open Competition:* The statutory authority permitting other than full and open competition is FAR 6.302-1, only one responsible source, as the incumbent contract is the only company capable of providing continuing insurance coverage until post is able to compete and award a new insurance contract.

5. *A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for unusual and compelling urgency where more than one offer will not be solicited).* The incumbent contractor (Omint de Servicios S. A.) is the only entity capable of providing uninterrupted insurance coverage until Post conducts written and oral negotiations with potential bidders in the competitive range for further contract award. Continuous health insurance coverage/services are essential to our LES employees, and required by Argentine law.

6. *A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies.* It is not practical to compete services for an intermediary four-month period and transition services to another contractor when it is anticipated that a new contract under full and open competitive procedures will be awarded within the next five months.

7. *The Contracting Officer determined that the anticipated cost to the Government would be fair and reasonable.* Based on the six-month extension granted under FAR 52.217-8 – Extension of Services, the current extremely high inflation rate and the unrealized adjustments

for inflation that were not incorporated in the existing contract, the proposed rates are considered to be fair and reasonable.

8. ***A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.*** A market survey would not have been practical given that this is an extension of the current contract. Considering the services required by the Embassy are specific to this population, and not consistent with health insurance provided to the general Argentine labor force, it is not feasible to conduct a market survey that would yield adequate information on pricing for this limited period of time.

9. ***Any other facts supporting the use of other than full and open competition.*** Performance has been acceptable throughout the life of the contract, as indicated by the requesting office -- HRO.

10. ***A listing of sources, if any, that expressed, in writing, an interest in the acquisition.*** None.

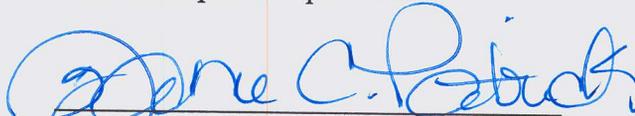
11. ***A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.*** Assuming HR/OE approves new benefit levels for Post, Post's procurement section will spend the upcoming months of this extension soliciting proposals from potential bidders with the purpose of signing a new contract before June 30, 2015. The Embassy's Human Resources section is currently working with HR/OE to respond to its inquiries about Post's survey and Argentine law regarding employee health insurance coverage.

### CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

1-30-14

Date



Jane Patrick

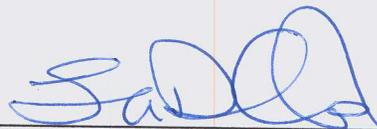
(Human Resources Officer-Requirements Office)

### Requirements Office

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

2-3-14

Date



Larry Carson (Contracting Officer)