

Reference DOSAR 606.303-2

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

**ACQUISITION OF HOTEL ACCOMODATIONS IN SUPPORT OF APEC 2013  
– ISOM and SOM I DELEGATION TRAVEL**

1. I recommend that the Department of State uses other than full and open competition for the acquisition of hotel rooms for this VIP visit. The estimated cost is US\$90,000.00
  
2. **Nature and/or description of the action being approved**
  - a.  APEC 2013 – ISOM and SOM I Delegation Visit
  
3. **A description of the supplies or services required to meet the agency's needs.**
  - a. *JW Marriott Hotel Jakarta, Jl.Lingkar Mega Kuningan Kav. E.1.2 No. 1& 2, Mega Kuningan, Jakarta 12950, Indonesia has approximately 125 sleeping rooms and converted offices.*
  
4. **An identification of the statutory authority permitting other than full and open competition.**
  - a. *[x] 41 USC 253(c)(2), FAR 6.302-2, Unusual and compelling urgency (based on the available time and urgency of the requirement as detailed below)*
    - i. Security concerns prohibit sufficient advanced notification of VIP travel to allow for sufficient time to conduct full and open competition. The Office of International Conference can only communicate with the staff at Post abroad when authorization is given from the Director. They have an extremely short turnaround time when authorization has been granted for negotiations to commence and site selections to be finalized with both the local vendors and Post before the actual APEC Delegation visit occurs
  
    - ii. Post has an unusual and compelling urgency justification because the control room facility can only be effectively used if it is in close proximity to the conference venue. SOM I meeting will be held at both the Ritz Carlton hotel and the JW Marriott hotel, but the SOM itself will be held at the JW Marriott hotel. This will allow the U.S. delegates to have access to use the facility to prepare documents during the short meeting recess periods. In addition, the Indonesian government has reserved all other control room space options in the close vicinity to the venue and this space is the best remaining option.

iii. Many of the arrangements for hotel and transportation are often not confirmed until just before the actual visit. In addition, to supporting a large delegation within a short time frame, last minute and frequent changes of itineraries for supporting personnel often result in significant changes in how Posts work with the vendors. With the exception of few trips, contracts are not permitted to be signed until the IO/C leadership provides a fund cite. This results in an unusual and compelling urgency in accordance with 41 U.S.C. 253 (c) (2). FAR 6.302-2

**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).**

- a. Security and logistics are the Department of State's primary considerations when procuring hotel rooms. The Department of State must be able to provide a safe and secure environment for VIP visitors. Frequently VIP visits are not announced or confirmed in sufficient time to conduct a competition, creating an urgent and compelling need. At other times, the security requirements and/or requirement of the host country government limit the acquisition to one or a small number of predetermined hotels.
- b.  The VIP visit information was not available in sufficient time thereby creating an urgent and compelling need.
- c.  The proposed contractor has the following unique qualifications which meet the Department of State's security and logistical requirements.

Set-back (hotel is safe distance from the street)

Location (able to secure building, travel route; distance to and from event)

Size and number of rooms (able to house everyone in one hotel)

Conference facilities (adequate space for meetings, press conferences)

Communications (able to install equipment/lines, command center)

Accommodating to security needs

**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 (e.g., blanket waiver provided in DOSAR 605.202-70).**

Post attempted to have the Ritz Carlton hotel provide a comparable offer and they were unable to do so in the time allotted. Their conference room situation is the same.

- 7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.**

The JW Marriott's price for standard rooms is below the per diem limit. This per diem amount was revised in 2012 after a thorough market review of comparable Jakarta hotel accommodations. The control room / suite cost was lowered by approximately USD500/night for better meet our needs.

- 8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.** *None*

- 9. Any other facts supporting the use of other than full and open competition.**  
*None*

- 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.**

