

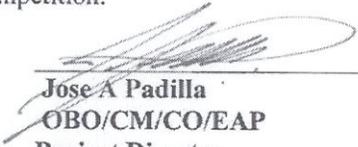
**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION  
(OVERSEAS CONTRACTING ACTIVITIES)**

1. OBO/CM/CO/EAP recommends that the U.S. Embassy *Jakarta* use other than full and open competition for the completion of the Commissioning, Test and Balance, and BAS works for the Surabaya NCC project. The project includes the completion of the commissioning, testing, balancing, and BAS programming for this facility. Sole source procurement to the original commissioning agent is necessary. The contractor, EMR, is the only company familiar with the project and has completed eighty percent of the commissioning work. This contractor will also integrate the missing specialties required to complete the installation.
2. Nature and/or description of the action being approved. *To approve the contract for EMR to test and document all installed systems in the New Consulate Compound. Correct building pressurization and Building Automation (BAS) in the New Office Building. Provide Commissioning documentation for all areas of the compound.*
3. A description of the supplies or services required to meet the agency's needs. *Perform and document thorough tests of the electrical system. Provide documentation of the completed commissioning, test and balance and BAS systems.*
4. An identification of the statutory authority permitting other than full and open competition. *41 USC 253(c)(1), FAR 6.302-1, EMR is the only contractor that possessed the testing and documents completed to date. EMR was the commissioning agent during the construction of the NCC that was incomplete.*
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). *EMR is the only contractor that possesses the start-up documents of all installed equipment.*
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). *No other vendor in has the start-up data for all systems in the NCC.*
7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable. *An Independent Government Estimate (IGE) was generated.*
8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted. *The IGE is attached.*
9. Any other facts supporting the use of other than full and open competition. *N/A.*
10. A listing of sources, if any, that expressed, in writing, an interest in the acquisition. *N/A.*
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. *N/A.*

**CERTIFICATIONS**

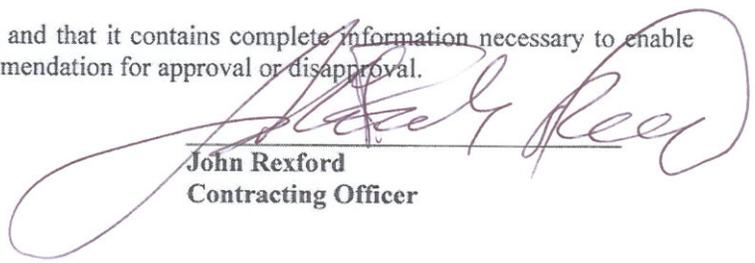
I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

4/10/2013  
Date

  
\_\_\_\_\_  
**Jose A Padilla**  
**OBO/CM/CO/EAP**  
**Project Director**  
**Overseas Buildings Operations**

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.

4/10/2013  
Date

  
\_\_\_\_\_  
**John Rexford**  
**Contracting Officer**