

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

PR: 4951200

1. I recommend that U.S. Embassy Tel Aviv use other than full and open competition for the acquisition of: Satellite TV services for calendar year 2016 for various US Embassy Tel Aviv offices.

The estimated cost is: \$22,135

2. Nature and/or description of the action being approved: Satellite TV services for calendar year 2016 for various US Embassy Tel Aviv offices. Yes Satellite TV (DBS) is the only company in Israel that provides the CNN news channel. This factor is crucial for better understanding of the political climate in the Middle East, especially during tumultuous times.

Additionally, Yes Satellite TV does not require the use of cable infrastructure which is prone to breakdowns during difficult weather conditions.

3. A description of the supplies or services required to meet the agency's needs:

Satellite TV services for calendar year 2016 for various US Embassy Tel Aviv offices.

4. An identification of the statutory authority permitting other than full and open competition (see below): 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):

41 USC 253(c)(1) - Only one responsible source.

5. Any other facts supporting the use of other than full and open competition.

CERTIFICATIONS

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

12/16/2015

Julia Shkolnik 

Date

Name

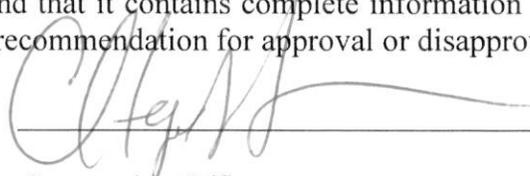
Title: Procurement Agent

Requirements Office: GSO

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.

16 Dec 15

Date



Contracting Officer

41 USC 253(c)(1) - Only one responsible source.

This authority shall be used in preference to Public Interest. It shall not be used when any one of the other circumstances is applicable. (Explain what makes this contractor the only responsible source, i.e., Does this proposed contractor have facilities or equipment that are specialized and vital to the effort? Is the proposed contractor the only one that can meet critical schedules? Does the proposed contractor have prior experience of a highly specialized nature vital to the effort? Why won't any other product or service satisfy the need? Describe market survey and analysis leading to this conclusion.)

41 USC 253(c)(2) - Unusual and compelling urgency.

This authority applies to those situations where (1) an unusual and compelling urgency precludes full and open competition, and (2) delay in award of contract would result in serious injury, financial or other, to the Government. (Explain why the agency's need for the supplies or services is of such an unusual and compelling urgency that the Government would be seriously injured unless it limited the number of sources.) Solicitation from as many potential sources as is practicable under the circumstances is required. This authority is allowed only to fulfill minimum requirements.

41 USC 253(c) - Industrial mobilization; or experimental, developmental, or research work.

This authority applies when it is necessary to award the contract to a particular source or sources in order (1) to maintain a facility, producer, manufacturer, or other supplier available for furnishing supplies or services in case of a national emergency or to achieve industrial mobilization, or (2) to establish or maintain an essential engineering, research, or development capability to be provided by an educational or other nonprofit institution or a federally funded research and development center. (Does the proposed contractor have facilities and equipment that are vital in the event of a national emergency? Is the proposed contract to maintain properly balanced sources of supply for meeting the requirements of acquisition of programs in the interest of industrial mobilization? Is the proposed contract to create or maintain the required domestic capability for production of critical supplies by limiting competition to items manufactured in the United States or the United States and Canada?)

41 USC 253(c)(4) - International agreement.

This authority may be used when the acquisition is to be reimbursed by a foreign country that requires the product to be obtained from a particular firm as specified in official written direction such as a Letter of Offer and Acceptance; or when service are to be performed, or supplies are to be used in the sovereign territory of another country and the terms of a treaty or agreement specify or limit the sources to be solicited. (Cite the international agreement or treaty between the U.S. and the foreign government or international organization. Provide the written directions of the foreign government reimbursing the agency for the cost of the acquisition.)

41 USC 253(c)(5) - Authorized or required by statute.

This authority may be used when a statute expressly authorized that the acquisition be made through agency or from a specified source. (Cite the authority. Note: While this statutory exception includes the small disadvantaged business 8(a) set-aside program, a JOFOC is not required for this type of procurement.)

_____ **41USC 253(c)(6) - National security.**

This authority may be used for any acquisition when disclosure of the Government's needs would compromise national security. It shall not be used merely because the acquisition is classified, or merely because access to classified matter will be necessary to submit a proposal or perform the contract. (Explain why the disclosure of the Government's needs would compromise the national security or violate security requirements.) Prior written approval of INR/IL/CO is required for acquisition that involve sensitive compartmented information. Approval of DS/CIS/IST is required for all other acquisitions that involve national security information. Contact A/OPE/CA for additional information.

_____ **41 USC 253(c)(7) - Public interest.**

This authority may be used when none of the other authorities apply. Individual justification, Secretarial approval, and Congressional notification 30 days prior to award of the contract are required.