



*Embassy of the United States of America
Moscow, Russia*

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

1. The U.S. Embassy Moscow, Department of State, is processing this acquisition for maintenance of the Building Automated System (BAS) at the request of the Facilities Office. The estimated value is USD 150,000 for the period of one base and four option years.

2. Nature and/or description of the action being approved.

New Contract - A contract for supplies or services, which have not been purchased before, for the requiring office or which have been previously acquired either free of charge or thru purchase orders but that purchase is not related to the current purchase.

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

Preventive maintenance of the BAS at the U.S. Embassy Moscow, including trips of the qualified and cleared technicians to post, on a regular and emergency basis with the purpose of checking the functionality of the system, verification of operational conditions, corrective measures, reports, and recommendations.

4. An identification of the statutory authority permitting other than full and open competition.

Only one responsible source and no other supplies or services will satisfy agency requirements. Authority - Citations: 10 U.S.C. 2304(c)(1) or 41 U.S.C. 253(c)(1).

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).

Moscow has a unique Building Automation System (BAS). The BAS monitors and controls our Heating Ventilation and Air Conditioning (HVAC) equipment. Because we use pneumatic controls (controls operated with compressed air), a proprietary automation system was developed by Alabama Controls, Inc., which monitors and controls the system electrically through the pneumatic systems. Most DDC (Direct Digital Control) systems operate the controls electrically but our DDC has to convert the digital signals to operate the pneumatic controls and has to take

the information from the pneumatic controls and convert it into digital information. Because this system was developed by Alabama Controls, Inc. for our unique situation, we require this company to provide period maintenance checks and system upgrades.

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 FedBizOpps 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).

The requiring office has made an extensive research to maximize the number of available sources. The Facilities manager contacted many U.S. companies and received no offers. Obviously, the BAS cannot be maintained and upgraded by other companies, because of the proprietary system that was installed in the Embassy. The competition is also limited by the requirement that all engineers and technicians involved in this project must have U.S. citizenship with top secret security clearance.

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

The acquisition basically purchases time at post for a US, cleared technician. The acquisition includes hours to prepare for the maintenance trip, travel, time at post and preparation and submission of a written trip report. Since this acquisition basically only includes time and travel at approved Federal travel rates, fair and reasonable pricing is easy to ascertain based on the burdened hourly rates of similar technicians.

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

Market research was conducted. A reasonable effort has been made to locate other sources. As we have a proprietary system, we did not find a company that specialized in this type of system and even if we did, the award to other than the proposed sole source contractor would pose unacceptable technical risks.

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.

When the HVAC controls are upgraded in future repair projects, we are going to replace the pneumatic controls with standard DDC controls. When the

controls are replaced, they should be able to be maintained by any US cleared, qualified technician.

CERTIFICATIONS

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

11 Feb '15
Date



Daniel Pearson
Facilities Manager

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.

11 Feb 2015
Date



David Stier
Contracting Officer