



Transportation Security Administration

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

41 U.S.C. 3304(a)(2)

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.3 and in accordance with the requirements of FAR 6.303-1, the justification for the use of the statutory authority under FAR Subpart 6.3 is justified by the following facts and rationale required under FAR 6.302-2 as follows:

1. Agency and Contracting Activity. The Transportation Security Administration (TSA) Contracting and Procurement (C&P) and Acquisition Program Management (APM) propose to enter into a contract on a basis other than full and open competition. The Contracting and Procurement tracking number for this document is JA-2018-04-0278, TSA Request for Proposal No. 70T04018C9DAP3038.

2. Nature and/or Description of the Action Being Approved. Leidos, 11951 Freedom Dr., Reston VA, 20190-5640, currently provides, via contract extension as explained herein, TSA with Integrated Logistics Support (ILS) services for the maintenance and sustainment of passenger checkpoint Transportation Security Equipment (TSE) owned and operated by the TSA, under contract HSTS04-13-C-CT3067. The period of performance of the current contract is from October 1, 2013 through July 31, 2018 and is a hybrid of firm-fixed price (FFP), firm-fixed unit price (FUP), and time and materials (T&M) pricing.

TSA intends to issue an FFP, FUP, and T&M , bridge contract to continue these services for a period of up to sixteen (16) months. As shown in the table below, firm-fixed price CLINs are in support of all Program Management, Transportation Security Resource Center (TSRC) Operations (Call Center), and Supplemental Support Services. Firm-fixed unit pricing will be provided for the quantity provided by TSA of Transportation Security Equipment (TSE) that require maintenance support services or consumables required for preventative maintenance. For each firm-fixed unit priced item, a firm-fixed daily unit price will be calculated by taking the negotiated price per unit and dividing by the number of days in the year. The actual unit quantities/days will vary based upon the number of deployed TSE units per monthly billing cycle. The contractor will invoice based on actual quantities. Although the quantities may vary, the daily rates are fixed prices that will not be adjusted. TSA provides a not-to-exceed (NTE) amount for all T&M priced items, Ancillary Logistics Services, Catastrophic Response and Additional Support, and Emerging IT Requirements. For each action authorized under these CLINs by TSA, a price analysis is conducted to ensure that the price offered is fair and reasonable for the work to be performed.

Item Description	CLIN Type
Sustainment of TSE	FUP
Sustainment Support Program Management	FFP
TSRC Operations	FFP
Ancillary Logistics Services	FFP/T&M
Catastrophic Response and Additional Support	FFP/T&M
DHS Sustainment Support	NTE
Preventive Maintenance Consumables	FUP/NTE
Supplemental Support	FFP
Emerging IT Requirements	FFP/T&M
Radioactive Leak Tests in TSALC	FUP

The value of the bridge contract is anticipated to be \$196,528,540.00. The period of performance for the bridge contract will be August 1, 2018 – November 30, 2019, which consists of a base period of 12 months and one 4-month option period for contract transition. TSA has determined the proposed bridge contract period for performance provides adequate time to conduct a full and open competitive procurement for the follow-on services and allows an sufficient transition period necessary for regulatory compliance to DHS cybersecurity policy.

3. Description of Supplies/Services.

APM is the TSA office responsible for the procurement, deployment, integration, and life-cycle management of all the TSE within the national transportation infrastructure. The APM Integrated Logistics Support (ILS) Branch is responsible for management and oversight of TSA’s integrated logistics support program that maintains deployed TSE. This includes service contracts with four Maintenance Service Providers (MSP), one of which supports all checkpoint equipment under the Passenger Screening Program. The purpose of this bridge contract is to continue to provide the maintenance services necessary for TSE sustainment and logistics support for the checkpoint equipment, which includes, but is not limited to: corrective and preventive maintenance; maintenance planning; supply support; tools, test equipment and calibration; parts and parts obsolescence; and the TSA Service Response Center (TSRC). The total estimated value of this contract action is as follows:

Period	Monthly Price	Total Price
Base Period (12 months)		
Option Period 1 (4 months)		
Total Contract Value		*\$196,528,540.00

*Note: Two-year appropriation (FY18-19) under TSA Operations and Support (OS)

4. Identification of Statutory Authority Permitting Other Than Full and Open Competition. The statutory authority permitting other than full and open competition is 41 U.S.C.3304(a)(1) implemented by the FAR Subpart 6.302-2, “Unusual and Compelling Urgency.” In accordance with FAR Part 5.202(a)(2), the proposed contract action is made with unusual and compelling urgency and the agency cannot comply with the time period specified in 5.203 or the Government would be seriously injured. In accordance with the requirements of FAR 6.302-2(d)(ii), a Determination and Finding was approved on June 11, 2018, the Assistant Administrator for Contracting and Procurement and TSA’s Head of Agency (HCA), has determined that a continuity of service is required to maintain the functioning screening equipment, which in turn is critical to preserving screening capability, security effectiveness, and passenger movement at all federalized airports throughout the United States and its territories. A break in service would significantly compromise TSA’s ability to screen passengers and carry-on baggage, as equipment failures would occur, rapidly depriving technological capabilities to detect unauthorized weapons, explosives, incendiaries, and other items.

5. Demonstration that the Nature of the Acquisition Require Use of the Authority Cited. Full and open competition is not a reasonable alternative to this immediate contract action as it introduces significant performance risk to the Government. The TSA recently awarded a five-year services contract following a full and open competition, but TSA was forced to terminate the contract [REDACTED]. The termination was issued on May 31, 2018, and a contract extension through July 31, 2018 was issued to Leidos utilizing FAR clause 52.217-8, Option to Extend Services. [REDACTED]

[REDACTED] in order to preserve security screening operations in all federalized airports, a bridge contract is required to conduct another than full and open competition for these services.

Continuity of these services is required to maintain the functioning screening equipment, which in turn is critical to preserving screening capability, security effectiveness, and passenger movement at all federalized airports throughout the United States and its territories. A break in service would significantly compromise TSA's ability to screen passengers and carry-on baggage, as equipment failures would occur, rapidly depriving technological capabilities to detect unauthorized weapons, explosives, incendiaries, and other items. Labor-intensive manual screening procedures (e.g. hand searches, passenger pat down) are required when screening equipment is out of service, severely impacting the traveling public and garnering national attention. The current contractor can meet the Government's immediate requirements at a reasonable cost, within schedule, and at an adequate level of performance.

Mission Impact:

- A break in service would significantly impede TSA's ability to screen passengers and carry-on baggage, as equipment failures would occur, rapidly depriving technological capabilities to detect unauthorized weapons, explosives, incendiaries, and other items.
- This contract provides the maintenance services necessary for TSE sustainment and logistics support, which includes, but is not limited to: corrective and preventive maintenance; maintenance planning; supply support; tools, test equipment and calibration; parts and parts obsolescence; and quality control. The lack of these services will result in sustained impacts to airport operational screening service, which will negatively impact passenger wait times and delayed flights, causing inefficiency and impeding the flow of passengers nationally.
- This contract provides TSA Service Response Center (TSRC) the 24/7 call center responsible for receiving maintenance work orders from 440+ Federalized airports and dispatching the work orders to the appropriate Maintenance Service Provider. Work orders are dispatched to vendor technicians repairing checkpoint TSE and OEM technicians that maintain the 1600+ fleet of checked baggage Explosive Detection System (EDS). If the bridge contract is not awarded and the TSRC is unavailable, Federalized airports will be unable to report maintenance issues. TSA's ability to screen passengers, carry-on baggage and checked baggage would be affected, as equipment failures would occur.

6. Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as is Practicable. An FBO posting for the competed award was issued on April 25, 2017. [REDACTED] proposals were received and no other sources provided interest in the acquisition. [REDACTED]

[REDACTED] Peraton, Inc. was awarded TSA Contract No. HSTS04-17-C13014, with a period of performance from October 1, 2017 through September 30, 2022. [REDACTED]

[REDACTED] Based on the period of performance of the current contract and the "Urgent and Compelling" need, only the incumbent can provide the critical services in the immediate timeframe required. During the period of the bridge contract, TSA intends to conduct another full and open competitive procurement for the follow-on services.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable. The Contracting Officer has determined that the anticipated price of this extension

will be fair and reasonable based on comparison to historical pricing and previous price analysis/negotiations with Leidos under contract HSTS04-13-C-CT3017 as well as comparison to the pricing received under the competitive solicitation.

8. Description of Market Research. An FBO posting for the competed award was issued on April 25, 2017. [REDACTED] proposals were received and no other sources provided interest in the acquisition. [REDACTED]

[REDACTED] Peraton, Inc. was awarded TSA Contract No. HSTS04-17-CT3014, with a period of performance from October 1, 2017 through September 30, 2022. [REDACTED]

Based on the period of performance of the current contract and the "Urgent and Compelling" need, only the incumbent can provide the critical services in the immediate timeframe required. During the period of the bridge contract, TSA intends to conduct another full and open competitive procurement for the follow-on services.

9. Any Other Facts Supporting the Use of Other Than Full and Open Competition. The proposed contract action is an immediate tool to satisfy TSA's mission until the follow-on, competitive contract can be evaluated, awarded, and transitioned. It is imperative that there is no lapse in service to prevent severe impacts to the nation's transportation infrastructure.

10. A Listing of the Sources, if Any That Expressed, in Writing, an Interest in the Acquisition. An FBO posting for the competed award was issued on April 25, 2017. [REDACTED] proposals were received and no other sources provided interest in the acquisition. [REDACTED]

[REDACTED] Peraton, Inc. was awarded TSA Contract No. HSTS04-17-CT3014, with a period of performance from October 1, 2017 through September 30, 2022. [REDACTED]

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 Supplies or Services Required. The barriers to competition for this requirement result from ensuring that there is no gap in service. [REDACTED]

12. Contracting Officer's Certification. I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

Contracting Officer

6/7/18

Date

13. Technical/Requirements Personnel Certification. I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

[Redacted Signature]

Technical Representative

6/7/2018

Date

APPROVAL:

[Redacted Signature]

6/11/2018

Date

APPROVAL:

[Redacted Signature]

6/28/2018

Date