

JUSTIFICATION AND APPROVAL

Justification for Other Than Full and Open Competition (FAR 6.3)

1. Contracting Agency and Activity. The Department of the Interior, United States Geological Survey, USGS-Branch of Acquisitions and Grants, 12201 Sunrise Valley Drive MS 152, Reston, VA 20192 plans to contract by means other than full and open competition. This document sets forth the justification and approval as required by FAR 13.106-1 (b)(1) "Only One Source Reasonable Available"

2. Nature of Action Being Approved. The U.S. Geological Survey, Southeast Ecological Science Center, Sirenia Project, requests award of a non-competitive firm fixed price contract with no options to Argos/CLS America, Inc., Largo, MD, for satellite data collection and location processing required to monitor existing and currently deployed satellite transmitters for manatees.

3. Description of Supplies or Services. USGS research on West Indian manatees (*Trichechus manatus*) involves tracking the movement and habitat use of manatees in Florida, The Bahamas and throughout the Caribbean. To conduct these studies, we require the use of Argos/CLS America satellites-monitoring services to provide remote access and 24-hour coverage of manatee movements. Transmitters used to radio track manatees have predetermined frequency identifiers that enable Argos/CLS America equipment on polar-orbiting TIROS satellites to receive, identify, and calculate location on the surface of the Earth using shifts in the Doppler frequency. Argos/CLS America is the only vendor capable of monitoring these devices. This research is administered under the USGS Status and Trends Program Office, and funded in part by the USFWS, BOEM and US Navy under the Endangered Species Act and Marine Mammal Protection Act.

4. Estimated Dollar Value. This request is for an estimated cost of \$16,406.40 .

5. Statutory Authority. "The proposed action may be awarded without full and open competition under FAR 13.106-1 (b)(1) "Only One Source Reasonable Available"

6. Rationale Supporting Use of Citation in No. 5 Argos/CLS America, Inc., Largo, MD, is a satellite data collection and location processing service that is a cooperative venture between the French Space Agency, the National Aeronautics and Space Administration, and the National Oceanic and Atmospheric Administration. Argos/CLS America provides the only operational satellite location service for miniaturized animal transmitters. The Sirenia Project pioneered the use of Argos/CLS America to monitor transmitters on marine animals in the mid-1980's and continues to be a leader in satellite tracking manatees for movements and habitat use determination. High-quality location data from Argos/CLS America continues to be effective for addressing manatee research and management problems in a cost effective manner. Argos/CLS America has been used for over 20 years by the Sirenia Project and is also used for similar tracking projects by agencies in both Florida and Puerto Rico. The Sirenia Project's satellite transmitters (TMT-462 and TMT-464, Telonics, Inc., Mesa, AZ) remain state of the industry tracking devices for Sirenians. As a result, the Sirenia Project's existing supply of transmitters can only be monitored by Argos/CLS America.

7. Other Information. No other sources are known to possess the unique and essential qualifications outlined in this Justification for Noncompetitive Procurement based on my field studies, involvement in professional societies, and reading of professional literature. This capability is not currently available with any other contractor or vendor at this time.

The USGS/Southeast Ecological Science Center is conducting research on manatee movements and habitat use in the Northern Gulf of Mexico, funded by BOEM, and at Naval Station Guantanamo Bay, funded by the US Navy. The most critical component of these studies is the use of Argos/CLS America for the remote acquisition of location and environmental sensor data from Argos-linked GPS tags, which are currently attached to manatees. The goals of these studies cannot be completed if tag location and data acquisition through CLS America was suspended. CLS America is the only vendor capable of monitoring these devices and providing the necessary location and sensor data needed to address our study requirements. This research has been funded in part by the USFWS, BOEM and US Navy under the Endangered Species Act and Marine Mammal Protection Act. Our ability to identify specific habitat use patterns and resources, required to complete the terms of our contracts with BOEM and NS GTMO, is in jeopardy without procurement of these exact supplies. The recommendation of USGS Southeast Ecological Science Center in support of this noncompetitive justification is made in recognition of the fact the competition must be obtained to the maximum extent possible.

8. The Efforts to Identify Additional Sources Including the Market Research Conducted. Market research was not conducted due to the fact that the required capability of Argos/CLS America to monitor existing and currently deployed satellite transmitters for manatees is not currently available with any other contractor or vendor at this time. No other sources are known to possess the unique and essential qualifications outlined in this Justification for Other Than Full and Open Competition.

9. Future Plans to Permit Competition. Actions needed to increase future competition would require additional governmental satellite and space agency cooperative efforts to develop an analogous space-based, data acquisition and processing system; including but not limited to launch vehicles, polar orbiting satellites, 401MHz onboard receivers and data processing capabilities.

10. Recommendation and Certification from Program Office Based on the above, I recommend this acquisition be conducted on the basis of other than full and open competition. I certify that technical data which form a basis for this justification that are the responsibility of technical or requirements personnel are complete and accurate.

[Redacted Signature]

17 Feb 2014

Date

Wildlife Biologist

11. Certifications from the Contracting Officer:

- a. The contracting officer has determined that the anticipated cost to the Government will be fair and reasonable based on the comparison with the price paid for the similar item in the order G12 PX00997
- b. This justification is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

David P Ouellette, Contracting Officer

Date

12. Concurrence by Competition Advocate > \$25,000 (DIAPR 2008-10 Enhancing Competition)

Jennifer Farrell, Bureau Competition Advocate

Date

The U.S Geological Survey (USGS) considers employee signatures to be Personal Protected Information, and therefore all employee signatures have redacted. By posting this document, the Contracting Officer attests all appropriate signatures have been obtained

The U.S. Geological Survey intends to make a non-competitive award to CLS America located in Lanham, Maryland for buying data for tracking Manatees to be delivered to Southeast Ecological Science center, in Gainesville FL within 30 days of award.

There are no option periods.

HIF had to do a non-competitive requirement to CLS America, because they are the only vendor who could provide the required services for the project.

In accordance with FAR 5.207, all responsible sources may submit a bid, proposal or quotation which shall be considered by the agency, however, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY. THIS IS NOT A REQUEST FOR COMPETITIVE PROPOSALS. The Government intends to award this requirement noncompetitively in accordance with FAR 13.106-1(b)(1).

Email responses to hnair@usgs.gov or fax to 703-648-7899. Emailed responses are preferred.

The NAICS code is 518210. The size standard is \$25.0.

The anticipated award date of the contract is 02/25/2014. The anticipated contract will be firm fixed-price. A vendor must be registered at <http://www.ccr.gov> to be awarded the contract.