

## **SOLE SOURCE JUSTIFICATION AND APPROVAL FOR ACQUISITION UNDER THE SIMPLIFIED ACQUISITION THRESHOLD**

**1. Contracting Agency and Activity.** The Department of the Interior, United States Geological Survey Reston Acquisitions Branch, Reston, VA, plans to contract on a sole source basis. This document sets forth the justification and approval as required by FAR FAR 13.106-1(b)(1).

**2. Nature of Action Being Approved.** Noncompetitive Firm fixed priced award to the State of New York, New York Office of Information Technology Services (NYOITS), GIS Program Office, from the National Geospatial-Intelligence Agency (NGA) and from USGS National Geospatial Program (NGP).

**3. Description of Supplies or Services.** The funds requested would purchase higher resolution color and color infrared imagery of the New York City and Poughkeepsie-Newburgh Urban Areas area. NYOITS provided the coordination, collection, and management of digital high-resolution, leaf-off, color, orthoimagery in the Spring of 2013, for portions of the high-priority New York City Urban Area including Nassau and Suffolk counties of Long Island, New York; and the Poughkeepsie / Newburgh Urban Area (Dutchess, Orange, Ulster and Putnam counties). Total project area is 3531 square miles. Under the auspices of the New York State Orthoimagery Program, this orthoimagery data acquisition and management activity is part of an ongoing coordinated multi-participant, multi-year program. The NYOITS will coordinate and manage the acquisition, quality assurance, and delivery of the orthoimagery to USGS and other partners. Portions of this work were subcontracted to private sector companies under the State of New York's competitive bidding process.

The USGS National Geospatial Program (NGP) has a cyclical need for high-resolution (one-foot GSD or better), leaf-off, color aerial orthoimagery across the country to support National Map, homeland security, natural resource assessment and management, and coordinated emergency and disaster response. USGS also supports requirements from the National Geospatial-Intelligence Agency (NGA) for current imagery for high-priority U.S. urban and military areas. Existing leaf-off imagery for this specific area of New York is several years old and does not depict current ground conditions as a result of the impacts of recent natural disasters such as Hurricane Irene/Lee in 2011 and Hurricane Sandy in 2012. Acquisition of suitable and commonly shared replacement imagery has been identified as a critical need by both NGP and NGA.

**4. Estimated Dollar Value.** The dollar value of this award is not to exceed \$95,000.

**5. Statutory Authority.** The proposed action may be awarded on a sole source basis in accordance with: FAR 13.106-1(b)(1) "Only One Source Reasonable Available"

This sole source award through the authorized spatial data coordination body at the state level is also supported under guidance pursuant to OMB circular A-16; EO 12906 "Coordination of Geographic Information and Related Spatial Data Activities" and under policy guidance from the

Federal Geographic Data Committee (FGDC) to promote coordinated development, use, sharing, and dissemination of geospatial data on a national basis as part of the National Spatial Data Infrastructure (NSDI).

**6. Rationale Supporting Use of Citation in No. 5.** The New York State Office of Information Technology Services (NYOITS), formerly the Office of Cybersecurity, serves as the authorized and recognized Geographic Information System (GIS) data management agency for the State of New York. The NY State GIS Coordination Body was created in response to the critical need for coordination in the development and use of digital spatial data. Both entities work in tandem to encourage GIS activities that enhance the development and use of reliable digital geospatial data through communication, coordination and collaboration for the State of New York and to coordinate state geospatial initiatives with federal and local government efforts. The successful NY State Orthoimagery Program is a result of that history of statewide coordination and cooperation.

USGS partnership for high-resolution orthoimagery with the NYOITS, as the authorized GIS data acquisition agency at the state level, is supported under guidance pursuant to OMB circular A-16; HO 12906 "Coordination of Geographic Information and Related Spatial Data Activities" and under policy guidance from the Federal Geographic Data Committee (FGDC) to promote coordinated development, use, sharing, and dissemination of geospatial data on a national basis as part of the National Spatial Data Infrastructure (NSDI).

Efforts to acquire similar New York digital orthoimagery products outside of the authorized coordinated effort provided by NYOITS will be much more expensive and inefficient for USGS and the Federal Government. Accomplishing this work in-house, including the project management, data inspection, and other associated tasks would exceed \$300,000, and require significant USGS staff time to complete. Working outside the auspices of the NYOITS, and the NY State Orthoimagery Program coordinated project will also work against USGS goals for a coordinated consistent national geospatial database and will result in redundant and competing geospatial datasets that can raise the potential for confusion over authoritative data sources used during crisis and disaster situations.

NYOITS, as manager of the New York State Orthoimagery Program, is the only organization known to be authorized to lead a coordinated effort for acquiring and managing high-resolution, leaf-off, imagery meeting NGP and NGA requirements for this area of interest over the desired time period. The NYOITS, in conjunction with the NY State GIS Coordinating Body, has worked with stakeholders to develop a unified data acquisition and management program for common imagery and related geospatial data that efficiently meets the needs of government agencies, organizations, and citizens at all levels.

**7. Other Information.** The USGS National Geospatial Program works cooperatively with other agencies, including State and local governments, to develop a common set of geospatial framework data as part of the National Spatial Data Infrastructure and to support The National Map. NYOITS has been a longstanding partner in these efforts and has delivered products that met or exceeded the contract specifications in the past.

The NYOITS base level orthoimagery meets the requirements for USGS and NGA, and the additional data that is provided to USGS at no additional cost as part of NY State Orthoimagery Program, including broader coverage outside the designated Urban Area footprint, higher resolution imagery, and color infrared imagery, is of substantial value to other units in USGS and other agencies in the Federal Government.

NYOITS is an agency of the State of New York and uses their required and well publicized competitive acquisition procedures to award this contract. The funds requested would purchase higher resolution color and color infrared imagery of the New York City and Poughkeepsie-Newburgh Urban Areas area and is of substantial value to other units in USGS and the Federal Government. The total value of this project is \$1.3 Million of which the USGS will contribute \$95,000.

**8. The Efforts to Identify Additional Sources Including the Market Research Conducted.**

No other sources are known to possess the unique and essential qualifications outlined in this sole source justification.

**9. Future Plans to Permit Competition.** The USGS, NGA, and NYOITS continue to follow technical developments in the imagery industry with consideration of an even more coordinated “Imagery for the Nation” effort. As opportunities develop, including any technological breakthroughs, these groups will reevaluate how best to acquire and maintain statewide and nationwide orthoimagery.

NYOIT will continue to use their required and well publicized competitive acquisition procedures to award contracts for imagery and other geospatial products and services.

USGS NGP and National Map liaisons will maintain extensive orthoimagery contracting knowledge through the Geospatial Products and Service Contracts (GPSC) that can help support fair and efficient competition.

**10. Recommendation Program Office**

Based on the above, I recommend this acquisition be conducted on a sole source basis and certify that the above statements are true and correct. 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.

Craig A. Neidig  
USGS Geographer  
NGP Liaison to New York

  
Signature

12 June 2013  
Date

**11. Certifications from the Contracting Officer**

- a. The contracting officer must include a determination that the anticipated cost to the Government is fair and reasonable with a short statement for the basis of that determination. Prices are determined fair and reasonable by comparison with previously purchased like items or by comparison with published list pricing.
- b. This justification is accurate and complete to the best of my knowledge and belief.

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David P Ouellette, Contracting Officer

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Date

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

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Jennifer Farrell, Bureau Competition Advocate

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Date