

## **JUSTIFICATION AND APPROVAL**

### **Justification for Other Than Full and Open Competition (FAR 13.1)**

**1. Contracting Agency and Activity.** The Department of the Interior (DOI), United States Geological Survey (USGS), Office of Acquisition and Grants (OAG) plans to contract by means other than full and open competition. This document sets forth the justification and approval for use of one of the exceptions to full and open competition allowed under the Competition in Contracting Act (CICA) of 1984.

**2. Nature of Action Being Approved.** The U.S. Geological Survey (USGS), Water Mission Area, Office of Water Quality requests a sole source acquisition with the following provider of atmospheric deposition station operation services for a cooperatively supported station between the USGS and the site owner and operator in support of the interagency National Atmospheric Deposition Program, National Trends Network (NADP-NTN):

**Mr. Bolton for operation of station:**

The station, designated site FL14 in the NADP-NTN network is located in Gadsden County near Quincy, Florida, latitude 30.5486, longitude -84.6004 on land owned by the State Agricultural Experiment Station (SAES), University of Florida.

**3. Description of Supplies or Services.** Establish a base and four option years for the operation of a NADP/NTN wet atmospheric monitoring station. Operation requires weekly site visits to the site to collect, process, and ship the precipitation sample, collect, process and transmit associated data with the site including the precipitation gage record and perform routine instrument checks, maintenance and repairs as needed. NADP site operations is described in detail in the document “National Trends Network Site Operations Manual” at <http://nadp.sws.uiuc.edu/lib/manuals/opman.pdf>

**4. Estimated Dollar Value.** The estimated dollar value is \$22,500 for 5 years at \$4,500 per year for the NADP-NTN Sampling. The sampling for the base year is for the period of February 1, 2016 to January 31, 2017. The cost per sample collected, processed, and shipped is \$86.54.

**5. Statutory Authority.** The proposed action may be awarded without full and open competition under 41 U.S.C. 253(c)(1) as implemented in FAR 13.106-1(b)(1): Only One source is reasonably available - the circumstances of the contract action deem only one source reasonably available (*e.g.*, urgency, exclusive licensing agreements, brand name or industrial mobilization).

**6. Rationale Supporting Use of Citation in No. 5.**

Mr. Bolton is an employee of the State Agricultural Experiment Station (SAES), University of Florida, and has been operating this site for several years. The precipitation monitoring

equipment operated by Mr. Bolton is located on University property, the electric power is provided by the University, and the field and laboratory equipment are owned by and housed in University facilities. Mr. Bolten, as an employee of the Experiment Station and University has access and permission to access the site to perform these tasks. The site is not open and available to the public.

**7. Other Information.** The NADP is a public, nonprofit, unincorporated, interstate association of parties interested in atmospheric deposition and its effects. It is structured as a cooperative program that represents coordinated efforts of many federal, state, academic, and private organizations and individuals to operate monitoring sites, report data, and oversee research activities related to atmospheric deposition. Membership in NADP is open to individuals and institutions interested in participating in any aspect of atmospheric deposition monitoring and/or research stemming from NADP data. This organizational structure is consistent with State Agricultural Experiment Station (SAES) Guidelines for Multi-state Research Activities. The contracts the USGS seeks to award represent partnerships to support sites in the most efficient manner with organizations and individuals that own and control the local site locations. Under the interagency National Acidic Precipitation Assessment Program established in 1981, the USGS is the designated lead agency for the monitoring of atmospheric deposition and NADP is the operational organization through which the USGS and other participating organizations accomplish this national-scale monitoring in the most efficient and cost-effective manner.

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

Where a USGS-supported site can be potentially operated by any number of interested individuals or organizations, we offer those site duties via a competitive process. This document describes the situation where we have sites that cannot be competed due to the cooperative partnership aspect of these sites location and ownership. No other source is known in the Quincy, Florida, area that is qualified to complete the requirement.

**9. Future Plans to Permit Competition.**

Although these cooperative sites have typically been operated for many years often by the same organization or individual, when and if the opportunity arises to either relocate the site or have the operation of the site turned over to another organization, the USGS has and will in the future use a competitive process to select a new site operation partner.

**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.

		
Mark A. Nilles National Program Manager Office of Water Quality	Signature	9-9-14 Date

**11. Certifications from the Contracting Officer:**

The Contracting Officer has determined that the anticipated cost to the Government will be fair and reasonable based on the stated cost of \$86.54 per sample collected, processed and shipped (52 NADP-NTN samples) from this rural and undeveloped region of the United States. This price was deemed fair and reasonable in the previous award G11PX00099 in 2011, and the price has not changed under this award; therefore, the Contracting Officer finds the price to be fair and reasonable.

All of the requirements of the Competition in Contracting Act, (41 U.S.C. 253), as implemented in the Federal and Interior Acquisition Regulations, have been considered in preparing this justification. This justification is accurate and complete to the best of my knowledge and belief.

**12. Approvals**

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Andres Castro, Contracting Officer

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Date