

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, Office of Acquisition and Grants 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 In FY 2007, the USGS awarded a support services task order under a GSA Schedule Contract which was competed and awarded to COMSO Inc., for a base year with two option years with an estimated value of \$2.91 million dollars. The task order's overall purpose was to support USGS information and geospatial technology initiatives related to the National Biological Information Infrastructure, (NBII) GAP Analysis, USGS Vegetation Mapping, and the USGS Biological Science and Cooperative Research Units Programs. This action is being performed to execute a 6 month extension of the existing order to continue support to USGS.

3. Description of Supplies or Services. The scope of this effort is very broad in terms of encompassing both information and geospatial technologies requirements, but also biological sciences expertise. Furthermore, the scope also requires that support be provided to NBII domestic efforts along with international efforts. Several objectives of this support are briefly described below.

- Design, development, and implement state-of-the-art technical tools, databases, and applications that support the NBII Programs overall mission and objectives.
- Continue to be seen as a technical leader within the bioinformatics domain by U.S. and several international organizations.
- Develop the various databases, web applications, geospatial tools, and other activities on-time, within scope, and meeting customer needs.

The National Biological Information Infrastructure serves as an electronic gateway to biological data and information products maintained by federal, state, and local government agencies; nongovernment institutions; and private sector organizations in the United States and around the world.

The USGS Biological Informatics (BIO) National Biological Information Infrastructure (NBII) Program is responsible for this action.

4. Estimated Dollar Value. This task order modification is for \$806,499.00. This will result in a total value of \$3,346,499.00 over two and a half years of the order.

5. Statutory Authority. The proposed action may be awarded without full and open competition under 41 U.S.C. 253(c) as implemented in FAR 6.302-1 only one responsible source for services will satisfy agency requirements.

6. Rationale Supporting Use of Citation in No.5. Below is the rationale for executing a sole source contract modification to COMSO Inc.

- Currently, COMSO, Inc., is the existing on-site support services contractor supporting the BIO NBII Program. Without their continued support, several tasks and functions would be severely impacted. Specifically, World Data Center for Biodiversity & Ecology Redesign, USGS Invasive Species database and web-site, USGS support to EP A1USDA Biotechnology Database, further deployment and support of My NBII Collaboration areas (including FWS, NPS, EPA, State Agencies), and USGS GAP Analysis System Upgrades and data processing will all be severely impacted. The items below provide just a brief summary of the ongoing activities and their impacts that will occur if this support service contract is not continued.
 - o World Data Center for Biodiversity & Ecology - The USGS hosted a meeting of over 15 visitors from South Africa in March. This meeting and workshop focused on expanding the USGS World Data Center and establishing a similar effort within South Africa. This effort would be unable to continue and ultimately impact USGS data distribution, research in such areas as invasive species, climate change, and break formal commitments already established between the USGS and South African organizations. The support being provided by COMSO, specifically the Senior Biodiversity Specialist Labor category, is leading this global effort (currently serving as the Director of the WDC), providing technical support to data distribution efforts, and performing scientific research in the areas of invasive species and climate change.

EP A/USDA Biotechnology Database - The USGS has been hosting and providing development support, with funding from various agencies, for this activity since 2005. This database supports the United States requirement of reporting biotechnology regulations, research, and international activities. This report is mandated by several international treaties and agreements between governments. Without USGS support, this effort would be unable to continue and significant impacts to US biotechnology activities world-wide would occur. COMSO, via the Senior Database Specialist labor category, is currently serve as the sole technical expert to this National and multi-agency effort. All technical requirements, redesign, data attribution, and database modifications are being performed by the contractor.

- o USGS GAP Analysis - The USGS GAP Analysis system is currently in process of performing a major upgrade of all systems, services, and functions. Data is being processed for all 50 states and several regions within the US. Without this support for the next 6 months, data would be unavailable to land managers (i.e. FWS, NPS, BLM, etc.) and significant expenditure of funds would be required to restart the upgrade/migration effort if it is halted. Furthermore, current data processing limitations exist within the GAP Analysis system, primarily due to the add and underlying technology, that have been undergoing a major redesign effort through implementation of state-of-the art hardware and software. Without continued upgrades, impacts to USGS data distribution, one of the key Science Areas within USGS, not only will users of this information (USFWS, BLM, Local Land Trusts, etc.) be impacted, but also the image of USGS being a world class institution producing high-quality land cover, stewardship, and species data would most likely occur.
- o My NBII Collaboration tools - Currently, the NBII program supports over 250 communities of practice designed to enable research, data management, and coordination by State, Federal, and Non-Profit organizations. These communities are supported through training, configuration, troubleshooting, and other support functions through this contract. Significant impact to USGS would occur by being unable to meet ongoing commitments to continue supporting these tools and services. For example, USGS is currently undergoing a review of all biology science programs. This activity would be impacted due to NBII inability to provide support for this activity. Typical support includes training, documentation development, leading web-ex's, initial collaboration tools configuration, offering advice/lessons learned, coordinating with other related communities, and general user support. For instance, in June, the USFWS will be establishing a community of practice to support various research and data management activities related to threatened and endangered species in the Northeast. Without this technical support being provided by COMSO, the USGS existing commitment to this effort will make it virtually impossible to provide the necessary resources (training, ongoing development, user guides, user support, initial configuration, etc.) to make the effort successful.
- This delivery order was awarded to COMSO as a full and open competitive procurement under the GSA schedule in April of 2007 as a base year and two option years. Currently, the award is in option year one until May 7, 2009, and under this modification the

remaining option year will be eliminated so the overall value does not exceed 15% of the approved USGS 9-1992 value of \$2,901,000.

- An increase in USGS high-priority support functions including Protected Areas, Climate Change, Invasive species, World Data Center for Biodiversity & Ecology, GAP Regional Data processing, and other areas required unanticipated support from the NBII Information Technology Program. This need is currently being supported via the existing COMSO Support Services Contract.
- Current onboard contractors possess unique and highly desirable skills due to the complexity of bioinformatics, the USGS NBII being one of 4 National Programs in USGS, national/international mission of the NBII Program, and rapid change in technologies. These include (redacted) development expertise, bioinformatics expertise, and inherent knowledge of existing USGS Program systems, requirements, and partners. If continued funding to support these functions is not obtained, it is reasonable to assume these contract support functions would not easily be able to be maintained or identified in the future.
- Existing USGS staff does not exist that can assume partial or all of the existing support currently being provided by COMSO Inc.

7. Other Information.

If support is not continued, USGS would be required to expend considerable funds to duplicate, re-train, and educate support service staff. For example, (redacted) training classes are (redacted) per student for 3 days. Existing contractors (4 in total), have already taken two classes each. Consequently, USGS would have to allocate \$20,000 or seek new contract staff with these highly desirable skills. If found, most likely labor rates would be 20-30% higher based on past market research and the initial bids received less than 2 years ago. These costs do not include the amount of time, typically 1-2 months required to educate, explain existing processes, obtain appropriate security clearances, review system documentation, deploy development environments, and other factors required when hiring a new contractor. Conservatively, these costs typically are (redacted) per contractor, resulting in over (redacted) based on the number of existing onboard contractors. The skills and functions being supported within this Contract are somewhat unique due to the complexity and multi-disciplinary nature required to support geospatial Biodiversity efforts, Plumtree/BEA/Oracle Portal development, training/user support/community management skills/expertise to support communities of practice, and understanding of biotechnology regulations with interruption into system requirements. For example, the NBII Program has deployed the BEA, formerly Plumtree, portal product to support the overall management and operation of the NBII Network, deliver information to the general public in a more personalized mode, and support in-house management of data and information. Typical deliverables include: Software components or Portlets compatible with the NBII Software development guidelines; BEA software customization through API coding; user interface designs, Java development language, and Ajax toolkit software development; and general application development within the NBII BEA Portal framework.

The current contract was competed with GSA Multiple Schedule contractors. (USGS did due diligence to keep full and open competition upon initial award of this 3 year contract).

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

Market research and other Acquisition approaches, i.e. GSA, Commercial services, Small Business, etc. were initially performed when awarding this existing contract. USGS plans to re-compete this effort within the next 6 months. This effort/J&A is a bridge until the recompetition can take place.

9. Future Plans to Permit Competition.

The USGS NBII Program intends to work with the Office of Acquisition and Grants Office to begin immediately re-competing the existing contract. It is anticipated that this action will allow for another 6 months of continued support to USGS through modification of the Task Order in accordance with FAR 52.217-08 Option to Extend Services.

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.

(Signature Redacted)

Michael T. Frame

Date: 5/1/09

Deputy Center Director

11. Certification from the Contracting Officer:

a. The Contracting Officer believes it is more cost efficient for the government to modify the task order to extend the period of performance for 6 months (FAR 52.217-08) in order to provide time to compete and award a new contract. The detrimental impact for the project office if this work was not to continue at this time would be in the areas of USGS being unable to deliver on existing commitments to federal agencies in the areas of biotechnology database support, continued development and support of communities of practice (existing commitment to FWS and USGS Biology), considerable increase in costs would be incurred by USGS to identify and retrain staff, impact to USGS reputation due to the Programs inability to deliver on existing commitments, inability to complete data processing of USGS GAP Analysis data, and impact to existing international agreements by being unable to deliver on commitments related to the USGS World Data Center.

b. All of the requirements of the Competition in Contracting Act, (41 U.S.C. 253), as implemented in the Federal Acquisition Regulations and Department of the 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**

(Signature Redacted)

Tara Flores, Contracting 5/1/2009

(Signature Redacted)

Stacey C. Diamond for
Shirleen W. Stephens,
Chief of Acquisition Branch
5/1/2009

(Signature Redacted)

Jennifer G. Kelley, Bureau
Competition Advocate 5/1/2009