

JUSTIFICATION AND APPROVAL

Justification for Other than Full and Open Competition (FAR 6.3) Requisition No. 10-3220-0065

1. Contracting Agency and Activity

The Department of Interior, United States Geological Survey (USGS), 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 to be Approved

The action being approved is for a new contract. The period of performance is 12 months from date of contract award. The proposed awardee is NatureServe.

3. Description of Supplies and Services

The Biological Informatics Program seeks to acquire data and information products from State natural heritage programs to fill critical knowledge gaps in the Natural Resources Monitoring Partnership (NRMP) system, an electronic database providing detailed descriptions of biological and environmental monitoring and observation activities.

State natural heritage programs are among the most significant and substantial originators of biological research and monitoring data and information. NatureServe is the only coordinating focal point for the State natural heritage programs, and they determine the standards and procedures under which the individual State heritage programs operate. This valuable information and data derived from State heritage program monitoring efforts are critical to the successful management of the nation's lands and natural resources. As NatureServe is the only conduit to these programs, it is crucial that the NBII contract with NatureServe. The contractor shall develop data and information products in the form of monitoring project descriptions, monitoring project protocol documentation, and monitoring project metadata records, so that NBII can fill critical knowledge gaps.

The contractor, NatureServe, would also coordinate and host a workshop for its State natural heritage program network members and affiliates with the goal of developing a long-term strategy for integrating heritage program network data and information within the NRMP system. The formal deliverables shall include: a final report from the workshop that proposes a strategy for integrating State natural heritage program data and information within the NRMP system to ensure broader access to resources which historically have been available only within the State natural heritage program network; and detailed plans for the workshop to include: workshop goals, workshop agenda, appropriate workshop stakeholders and attendees.

4. Estimated Dollar Value

The estimated dollar value for the proposed contract is

5. Statutory Authority

Subpart 6.3, Section 6.302-1 only one responsible source and no other supplies or services will satisfy the agency.

6. Rationale Supporting use of Citation in No. 5

The following information is provided to demonstrate the proposed contractor's unique qualifications, per Section 6.303-2 (5) of the Federal Acquisition Regulations:

- The U.S. House of Representatives provided explicit language to the U.S. Geological Survey that specific FY10 appropriations "within biological information management and delivery [should be allocated] to support the **coordinators of the national network of State conservation data agencies** (H.R. Rep. 111-316, 11th Cong., 1st Session (2009)). This stipulation is repeated verbatim in FY10 U.S. Geological Survey allocation tables for the Biological Information Management and Delivery budget sub-activity.
- Two organizations are authorized to coordinate networks of State conservation data agencies: the Association of Fish and Wildlife Agencies (AFWA) and NatureServe. AFWA is responsible for coordination of State natural resource agencies, while NatureServe is the single authorized network coordinator for the State natural heritage programs.
- The project deliverables described under this statement of work require data and information from, and collaboration with, State natural heritage programs; consequently, NatureServe is the **only** vendor through whom the NBII can work to obtain the deliverables needed to expand and enhance the NRMP project described in the statement of work, and is the de facto vendor required by the FY10 Interior appropriations language for the U.S. Geological Survey.
- No other vendors are authorized to coordinate with state natural heritage programs. NatureServe is the only vendor with responsibility for the scientific standards and procedures under which the network of heritage programs operates.

7. Other Information

A Statement of Work for full and open competition for these services was not developed because the work requested requires access to state natural heritage programs. As NatureServe is the only authorized coordinating agency for the state natural heritage programs, a full and open competition is not feasible.

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

It is essential that the work be done to provide stakeholders in natural resources inventory and monitoring activities with information, methods, and access to data generated by unique, on-the-ground research conducted by state natural heritage programs. NatureServe is the sole vendor that can provide comprehensive access to these agencies and the information they produce, as NatureServe is the only conduit to these programs. Additionally, the 2010 federal appropriations bill requires that USGS engage NatureServe in support of this type of activity. The acquisition will be synopsized in *FedBizOpps* as required in FAR 5.201.

9. Future Plans to Permit Competition

Competition will be obtained in the future to the maximum extent should this type of work be requested.

10. Recommendation and Certification from Program Offices

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 that form the basis for this justification that are the responsibility of technical or requirements personnel are complete and accurate.

Signature

Date

Technical Representative

11. Certifications from the Contracting Officer

The Contracting Officer determines that the anticipated cost to the Government will be fair and reasonable. The Contracting Officer reviewed a recent contract award to NatureServe and found labor hours rates, other direct costs, and indirect cost rates to be fair and reasonable at the time of award. The Contracting Officer will again review and negotiate all costs to ensure they are 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

Contracting Officer

Date

Chief Acquisition Branch

Date

Bureau Competition Advocate

Date