JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY

REFERENCE: Technical Information and Program Support (TIPS)

1. **Identification of the agency and contracting activity.**

    a. **Federal Agency and contracting activity.** Department of Health And Human Services (HHS), National Institute of Health (NIH), Office of Acquisitions (OA), *Office of Workplace Solutions (OWS)*

    b. **Sponsoring Organization**
    Office of Workplace Solutions (OWS)

[redacted]

2. **Nature and/or description of the action being approved.**

The purpose of this justification is a contract modification to extend the period of performance for the existing task order supporting the National Institute of Allergy and Infectious Diseases (NIAID), Office of Workplace Solutions (OWS), Technical Information and Program Support (TIPS) requirement. The current contract/task number is 75N98022D00038/75N98025F00001 and the period of performance is June 1, 2025, through May 31, 2026. The extension is seeking an additional 103-day period of performance to allow continuation of services through September 11, 2026 while the Government contemplates a new award. Due to extraordinary and unforeseen operational disruptions resulting from recent federal workforce reductions-in-force, agency-wide acquisition staffing shortages, and the ongoing consolidation of acquisition functions across the Department of Health and Human Services , the Government requires a short-term extension of the current contract pursuant to RFO 52-217-8, Option to Extend Services, for a 103-day period of performance to ensure uninterrupted continuity of critical services while the follow-on procurement is finalized, negotiated, and awarded.

The contract modification will extend services to ensure continued support for critical program areas, including ARCHIBUS systems support, data analytics and governance, facilities planning and feasibility analysis, and built environment information management. These services are essential to maintaining continuity of operations for NIAID's facilities infrastructure and ongoing biomedical research support functions.

These services are also necessary to support NIAID compliance with OMB Memorandum M-25-25, Implementation of the Utilizing Space Efficiently and Improving Technologies Act,' which requires Federal agencies to implement occupancy monitoring technologies, maintain accurate building utilization data, and provide recurring occupancy reporting for federally occupied space. Continued

contractor support is required to sustain the systems, analytics, and data governance capabilities necessary to meet these Federal reporting obligations.

3. **Description of the supplies or services required to meet the agency's needs, including the estimated value.**

The National Institute of Allergy and Infectious Diseases (NIAID), Office of Workplace Solutions (OWS), requires continued professional and technical support services to sustain and manage the Technical Information and Program Support (TIPS) requirement. The services support the computational and operational management of the NIAID built environment, including biomedical research laboratories, clinical environments, administrative office space, and data centers.

The contractor shall provide professional, technical, analytical, architectural, engineering, interior planning, data management, and business intelligence support services necessary to support OWS operations and mission requirements. Major functional areas include program and task management, ARCHIBUS systems support and administration, helpdesk and IT administration support, content and records management, customer information request support, feasibility studies, planning and analysis, lifecycle cost modeling, and strategic facility planning.

Specific services include:

- ARCHIBUS application support, administration, integration, and data management;
- Computer-Aided Design (CAD), space planning, and facility asset management support;
- Business intelligence and data analytics development;
- Facility and infrastructure feasibility studies;
- Customer service and helpdesk support;
- Development of reports, presentations, dashboards, and key performance indicators (KPIs);
- Technical consultation related to biomedical research facilities, office environments, and data centers; and
- Strategic planning and lifecycle cost analysis for NIAID facilities and assets.

The requirement also includes support for associated software applications and integrated systems, including ARCHIBUS, AutoCAD, Revit, Navisworks, CAP 20/20, BlueBeam, GIS applications, and related technologies. Support for ARCHIBUS and associated integrated systems is critical to maintaining accurate occupancy utilization metrics, facility space inventories, and reporting capabilities identified within the USE IT Act implementation guidance.

The required services directly support Federal space utilization management and occupancy reporting functions required under OMB Memorandum M-25-25. The contractor maintains and supports systems used for space utilization analytics, occupancy data management, reporting dashboards, facility planning, and real property governance activities necessary for NIAID to comply with Federal occupancy monitoring and utilization reporting requirements.

The contemplated action is a 103-day extension of existing services to maintain continuity of operations and avoid disruption to critical NIAID facility management and support functions while acquisition planning for a follow-on action is completed.

The estimated value of the extension is approximately **$888,820.00.**

4. **Exception to the fair opportunity process and supporting rationale.**

The statutory authority permitting an exception to the fair opportunity is RFO 16.507-6(b)(2) – *Only one source is capable of responding, due to the unique or specialized nature of the work*

The proposed contractor is uniquely qualified to continue providing these services to the National Institute of Allergy and Infectious Diseases (NIAID), Office of Workplace Solutions (OWS), because the contractor possesses incumbent knowledge, specialized technical expertise, operational familiarity, and integrated system experience that are critical to uninterrupted execution of the Technical Information and Program Support (TIPS) requirement. The requirement involves highly specialized support for NIAID's built environment operations, including biomedical research laboratories, clinical environments, administrative facilities, and data centers that directly support NIAID's scientific mission.

The contractor currently supports and maintains the NIAID ARCHIBUS environment and associated integrated systems, including AutoCAD, Revit, CAP 20/20, Navisworks, BlueBeam, GIS applications, and related business intelligence and facility management platforms. The contractor possesses extensive institutional knowledge regarding the configuration, integration, governance, and operational workflows associated with these systems within the NIAID and NIH environment. Transitioning these responsibilities to another contractor during the extension period would create substantial operational risk, including disruption to facility planning activities, data integrity issues, interruption of customer support functions, and degradation of mission-critical reporting and space management activities. The risk associated with transition is also heightened by the implementation requirements of OMB Memorandum M-25-25, which mandates ongoing occupancy monitoring, utilization tracking, and recurring reporting for federally occupied space. Disruption to the existing ARCHIBUS environment, occupancy data management processes, or associated reporting capabilities during the extension period could impair NIAID's ability to comply with Federal space utilization reporting requirements and Return-to-Office implementation directives.

The incumbent contractor possesses established operational knowledge of NIAID occupancy data structures, utilization methodologies, facility governance processes, and reporting workflows necessary to support timely and accurate compliance with OMB M-25-25. In addition, the contractor's personnel possess specialized expertise in biomedical research facility planning, data center operations, lifecycle asset management, and federal real property management processes that are not readily available without significant transition and training time. The Statement of Work requires personnel with advanced experience in ARCHIBUS administration, CAD integration, business intelligence analytics, facility data governance, and feasibility analysis within a federal biomedical research environment. The contractor's staff currently performing the work have developed detailed knowledge of NIAID-specific business processes, facility data structures, governance methodologies, and customer operational requirements through ongoing performance of the requirement.

Furthermore, the contractor currently manages ongoing support activities associated with approximately 50–60 concurrent project efforts involving facility planning, space management, feasibility studies, and data management activities. Immediate replacement of the incumbent contractor would require substantial onboarding, transition, security processing, knowledge transfer, and technical familiarization efforts that could not be completed without negatively impacting continuity of operations. The Statement of Work notes that new personnel may require approximately 10–12 weeks for federal security clearances and badging before being able to fully perform onsite work.

The contemplated 103-Day extension is necessary to ensure uninterrupted continuation of critical support services while the Government completes acquisition planning and award of a follow-on competitive action. Use of another source for this interim period would result in unacceptable duplication of cost to the Government, increased performance risk, loss of operational continuity, and potential disruption to NIAID facility management and biomedical research support operations.

5. **Determination by the CO that the anticipated cost to the government will be fair and reasonable.** The CO determines that the anticipated price(s) will be fair and reasonable based on the previously competed rates under the current task order, historical pricing for the same services, comparison with the Independent Government Cost Estimate ("IGCE"), and the Government's knowledge of current market conditions for similar requirements. This action is a short-term extension of an existing task order pursuant to FAR 52.217-8, Option to Extend Services, and does not constitute a new procurement.

6. **Any other facts supporting the justification.**

Additional facts supporting the use of other than full and open competition include the highly integrated and mission-critical nature of the services being provided, as well as the significant risk to the Government associated with transitioning to a new contractor for a short-term extension.

The current requirement involves the management and operation of complex, interconnected systems supporting NIAID's built environment, including ARCHIBUS, CAD platforms, and multiple integrated data sources used for facility planning, asset management, and business intelligence. These systems require continuous data integrity, configuration management, and alignment with NIAID- and NIH-specific processes and governance structures. The technical data, system configurations, workflows, and internal governance methodologies have been developed, refined, and maintained by the incumbent contractor over the course of performance and are not readily transferrable without substantial time and cost.

The requirement cannot be modified to enhance competition for this interim period without introducing unacceptable performance risk. The scope encompasses a full spectrum of services—program management, system administration, data analytics, feasibility analysis, and customer support—that must function in a fully integrated manner. Segmenting or reducing the requirement for purposes of competition would disrupt the continuity of services and degrade the effectiveness of operations supporting NIAID's biomedical research mission.

OMB Memorandum M-25-25 established accelerated Government-wide requirements for occupancy monitoring, utilization analysis, and recurring building utilization reporting associated with the USE IT Act and Federal Return-to-Office initiatives. NIAID relies upon the incumbent contractor's support for ARCHIBUS administration, facility data governance, occupancy analytics, and reporting capabilities necessary to support these requirements. Any disruption to these systems or processes during the interim extension period could negatively affect the accuracy, continuity, and timeliness of required utilization reporting and impair the Government's ability to support Federal real property optimization objectives.

Transitioning to a new contractor for a 103-day period would result in duplication of costs to the Government, including but not limited to onboarding, recruitment, training, knowledge transfer, and system familiarization. Additionally, new personnel would require approximately 10–12 weeks to obtain necessary security clearances and badging before being able to fully perform onsite work. This transition period would significantly reduce productive performance time and could result in delays or degradation of critical services.

Furthermore, the contractor is currently supporting approximately 50–60 concurrent projects involving facility planning and data management. Any disruption to these ongoing efforts would adversely impact NIAID's ability to manage space resources, support scientific programs, and respond to facility and infrastructure needs. Potential impacts include loss of data continuity, delays in project delivery, reduced responsiveness to customer requirements, and compromised decision-making support for NIAID leadership.

Failure to award this extension to the incumbent contractor would likely result in service interruptions, increased costs due to duplicated efforts, and unacceptable risks to mission-critical operations. Therefore, the use of other than full and open competition is necessary to ensure continuity, minimize risk, and protect the Government's investment in existing systems, processes, and ongoing work.

7. **A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the exception to fair opportunity before any subsequent acquisition for the supplies or services is made.**

The Government intends to promote full and open competition for the follow-on requirement and has identified several barriers to competition under the current effort, including reliance on incumbent-specific operational knowledge, limited documentation standardization, and insufficiently defined performance outcomes.

During the extension period, the program office and contracting activity will finalize acquisition planning for a competitive procurement. This includes refining the requirements into a performance-based work statement (PWS) that clearly defines outcomes, performance standards, and measurable deliverables to enable broader industry participation. The Government will also review and standardize technical documentation, workflows, and data management practices to ensure they are sufficiently documented and transferable to a new contractor.

To reduce transition risk and increase competition, the Government will:

- Conduct additional market research, including issuance of a Sources Sought/Request for Information (RFI) on SAM.gov to identify capable vendors and assess industry capabilities;
- Evaluate the potential for breaking out or structuring the requirement in a manner that enhances competition while maintaining operational effectiveness;
- Ensure that data rights, system access, and technical documentation (e.g., ARCHIBUS configurations, data governance processes, and reporting structures) are organized and made available, to the extent practicable, to support transition to a new contractor;
- Develop and incorporate a transition plan in the follow-on acquisition to facilitate knowledge transfer and continuity of operations.

These actions are intended to ensure that the follow-on requirement is competed to the maximum extent practicable, while minimizing performance risk and avoiding the need for future sole-source extensions.

8. **Ordering activity CO's certification:**
   I certify this justification is accurate and complete to the best of my knowledge and belief. Since this effort exceeds the simplified acquisition threshold but does not exceed $900,000 this certification serves as approval.

[redacted]