Control Number: CEHNC-26-0012

JUSTIFICATION REVIEW DOCUMENT
RFO Part 6 Justification and Approval
for Other than Full and Open Competition

Program/Equipment: U.S. Army Engineering and Support Center, Huntsville, Defense Logistics Agency – Energy (DLA-E) Fuels Preventative and Corrective Maintenance Program

Authority: Title 10 U.S.C. §3204(a)(1) as implemented by Revolutionary FAR Overhaul (RFO) Part 6.103-1 - Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

Amount: [redacted]

Period of Performance (POP): The period of performance is for a total of 10 weeks, beginning 16 May 2026.

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HUNTSVILLE ENGINEERING AND SUPPORT CENTER REVIEWERS

Reviews: I have reviewed this justification and find it adequate to support other than full and open competition.

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FAR Part 6 Justification and Approval
for Other than Full and Open Competition

1. Requiring Activity: Defense Logistics Agency – Energy, 8725 John J. Kingman Road, Fort Belvoir, Virginia 22060

2. Contracting Activity: USACE Engineering and Support Center, Huntsville (CEHNC), 300 Secured Gateway SW, Redstone Arsenal, Alabama 35898

3. Description of Action: DLA – E Fuels, through USACE CEHNC, has a continued requirement for fuel systems preventative and corrective maintenance services within the South Atlantic Division in support of the Air Force. CEHNC requests approval to issue a non-competitive short-term standalone Firm-Fixed-Price (FFP) bridge contract to Weston Solutions, Inc. (hereafter referred to as "Weston"), CAGE 2M222, 1400 Weston Way, West Chester, Pennsylvania 19380-1492. Projected award is 15 May 2026 for a 10-week period of performance, fully funded using Defense Working Capital Funds (DWCF).

4. Authority Cited: Title 10 U.S.C. §3204(a)(1) as implemented in RFO 6.103-1 (formerly FAR 6.302-1) – Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

5. Description of Supplies/Services: CEHNC executes system maintenance in accordance with (IAW) United Facilities Manual (UFM) 3-460-03 which outlines maintenance of petroleum fuel system procedures and standards. This maintenance is critical for maintaining operational fuel systems for the Air Force across the USACE South Atlantic Division area of responsibility (AOR). The contractor is required to provide vital preventive maintenance and corrective maintenance repair services to sustain robust fueling capability in support of Defense Logistics Agency – Energy (DLA-E) capitalized federal petroleum facilities and petroleum systems. The work to be performed is structured around performance-based outcomes.

- Preventative maintenance - The work entails the maintenance of federal petroleum facilities and petroleum systems ensuring these systems are in compliance with codes, criteria, regulations, and laws of the United States and its outlying areas in order to meet several preventative and corrective maintenance requirements. In addition to a well-maintained system or facility, the preventative maintenance portion of the work will include written reports detailing evaluated systems.

- Corrective maintenance - The work entails service orders for minor repairs of deficiencies to petroleum facilities, petroleum systems, and supporting DLA-E capitalized facilities as well as emergency response capability to ensure the safe and reliable accomplishment of the applicable Fuels delivery mission. Repairs may be requested by each of the DLA Capitalized Sites for components, equipment, or systems in support of the Fuels delivery mission.

The scope of services required shall be strictly limited to those actions essential for maintaining operational readiness and preventing mission degradation during the 10-week period of performance. The requirements are outlined in the Performance Work Statement. Specifically, the work includes:

a) The performance of scheduled, mission-essential preventative maintenance; and
b) Response to any emergent, unforeseen service requirements critical to sustaining the mission.

Anticipated preventative maintenance events, along with the estimated values by contract line item number (CLIN) are shown in Tables 1 and 2 that follow:

Table 1: Anticipated Preventative Maintenance Events by Site

Site	Quarterly	Semi-Annual	Annual
Jacksonville IAP Site #1- Q3/SA2/A	1	1	1
Cape Canaveral AFS Site #1- A			1
Patrick AFB- A			1
Charleston AFB (ID 26) - Joint Base-			
DFSP Charleston- A/SA2/Q3	1	1	1
Douglas MAP ANG (ID 146)-			
Dobbins ARB (ID 192)-			1
Glynco ANG Station			
Joint Base Charleston NWS	1	1	1
Moody AFB	1	1	
McEntire ANG (ID 158)			1
Robins ANG	1	1	1
Robins AFB			1
Savannah ANG (IAP ID 107)			
Savannah/Hilton Head IAP Site #3			
Shaw AFB (ID 55)			1
Seymour Johnson AFB (ID 56)			1
Stanly County Airport			
Total Events	5	5	11

Table 2: Estimated Price by CLIN

CLIN	CLIN Description	Estimated Value
CLIN 0001	QUARTERLY RECURRING MAINTENANCE	[redacted]
CLIN 0002	SEMI ANNUAL RECURRING MAINTENANCE	[redacted]
CLIN 0003	ANNUAL RECURRING MAINTENANCE	[redacted]
CLIN 0004	MINOR AND EMERGENCY REPAIR	[redacted]
CLIN 0005	OTHER TECHNICAL ADMINISTRATIVE REQUIREMENTS	[redacted]
CLIN 0006	REQUIRED PERSONNEL	[redacted]
	Estimated Overall Total Price	[redacted]

6. Reason for Authority Cited:

a) Background & Justification: On 2 March 2026, the Government awarded a new Fuels SAD-AF2 standalone contract as a follow-on effort for Fuels preventative and corrective maintenance services within SAD-AF which were previously acquired under GSA MAS Task Order Number W912DY20F0475. Subsequently, the incumbent contractor, Weston Solutions, filed a timely protest with the GAO on 12 March 2026, which was followed by a second protest by another offeror on 16 March 2026. In accordance with the Competition in Contracting Act (CICA), a mandatory stop-work order was issued on 13 March 2026. While services are currently continuing under the authority of FAR 52.237-3, Continuity of Services, that authority expires on 15 May 2026. Given that the GAO has until 24 June 2026 to render a decision, a gap in service of no less than 40 days is anticipated.

This justification addresses the requirement for a standalone contract action to cover this gap. Over the course of the existing task order, Weston has developed in-depth, mission-specific and institutional knowledge of the Fuels mission's complex operational requirements, technical systems,

and established procedures. Their personnel are fully trained, cleared, and integrated with government teams, eliminating the significant ramp-up period that a new contractor would require. The Government estimates that bringing a new contractor up to speed for this short-term requirement would incur approximately [redacted] in non-recurring start-up costs related to mobilization, security processing, and site-specific training.

b) Alternatives: The Government initially explored the alternative of executing an out-of-scope modification to the incumbent's existing GSA MAS task order W912DY20F0475 utilizing an Exception to Fair Opportunity (EFO). After thorough review, the Contracting Officer determined this approach was not a viable or legally prudent strategy for bridging the requirement during the pendency of the GAO protest. This alternative was rejected due to the following compounding factors:

- Exhaustion of Contract Lifecycle: The current GSA MAS task order has exceeded its intended lifecycle of a five-year period of performance. The Government has already fully exercised the 12-month base period, four 12-month option periods, a six-month extension under FAR 52.217-8 (Option to Extend Services), and a subsequent extension under FAR 52.237-3 (Continuity of Services).

- Scope and Vehicle Suitability: Market research and acquisition planning for the follow-on effort established that the evolving nature of this requirement is no longer suitable for the GSA MAS program. Because the protested follow-on was deliberately moved to a standalone contract, attempting to force new bridge work back onto an exhausted schedule order via an out-of-scope modification contradicts the Government's strategic acquisition strategy.

- Unacceptable Schedule Risk: Attempting to process, justify, and obtain legal/policy concurrence for an out-of-scope modification on a task order that has already utilized its FAR 52.217-8 and FAR 52.237-3 extensions introduces severe procedural risk. The extensive time required to staff this highly irregular approach—coupled with the high probability of non-concurrence—would jeopardize the timely execution of the bridge action. Pursuing this path would likely result in an unacceptable break in service for this mission-critical requirement.

Consequently, executing a new, short-term standalone bridge contract under the authority of 10 U.S.C. §3204(a)(1) as implemented by RFO 6.103-1 is the only legally sufficient and timely method to maintain continuity of services while the GAO protests are resolved. While the Government initially underscored the use of the EFO, the following additional alternatives were considered and are discussed below:

1) Take No Action (Allow a Gap in Service): Allowing the current task order to expire creates an unacceptable gap in service. Given the critical nature of the services supporting the CEHNC Fuels Program mission, a gap would mean essential support would cease, creating an immediate and significant risk to operational readiness. This alternative is not feasible due to operational risk. The Government knows, with reasonable certainty, that equipment will fail and that scheduled maintenance will become due during any service gap.

2) Conduct a New Competitive Acquisition: Starting a new acquisition would be lengthy and costly. This alternative was also deemed not feasible and not in the Government's best interest. As detailed previously, any contractor other than the incumbent would require a significant and costly ramp-up period, leading to a duplication of costs and unacceptable delays that would directly impact the mission. Conducting a new competitive acquisition for this short-term bridge is not a viable alternative because of the length of time it takes to establish a new contract, the duplicated costs, and unacceptable performance risk to this mission-critical program. The only course of action that ensures timely, efficient, and effective continuity of services is to award a short-term follow-on contract to the incumbent, who is the only responsible source.

3) Procedural Actions: The Government considered seeking an override of the automatic CICA stay. This formal, high-level procedure is a required element of a timely protest, pursuant to RFO 33.105-3(b)(1), and would require a written finding by the head of the contracting activity that either continued performance is in the best interests of the United States or that urgent and compelling circumstances exist which will not permit waiting for the GAO's decision. While this is a potential option, it carries significant administrative burden and risk. The legal standard for an override is high, the documentation process is extensive, and approval is not guaranteed. Furthermore, the time required to prepare, review, and approve the override could itself be lengthy, failing to provide the immediate support the Fuels mission requires.

   Furthermore, pursuing a CICA stay override carries significant procedural risk and the decision itself could be challenged. This could potentially lead to a second, more complex legal battle. More importantly, this course of action could be perceived as undermining the integrity of the fair opportunity and protest process, which is designed to ensure accountability and fairness in Government acquisitions. Given that a less contentious and legally sound alternative exists, awarding a short-term, sole-source bridge contract to the incumbent, the high-risk, high-burden nature of a CICA stay override was deemed contrary to the Government's best interest for this situation.

c) Impact if not approved: Disapproval of this justification would directly and severely jeopardize mission capability by creating an immediate lapse in the maintenance and repair at DLA's vital fueling locations within the SAD AOR. The resulting impact would be three-fold:

1. It would cause unacceptable delays in meeting mission requirements. The United States is currently engaged in a critical armed conflict with Iran, necessitating the continuous operational readiness of all strategic military assets. A disapproval would force a lengthy competitive acquisition process and a mandatory transition period for any new awardee, creating a service gap that would be seriously detrimental to sustaining air operations.

2. It would lead to a significant duplication of costs for the Government. The incumbent contractor is already fully mobilized, possesses the required security clearances, and has developed extensive on-site expertise. A new contractor would need to replicate these mobilization and training efforts at Government and taxpayer expense.

3. Postponing scheduled maintenance on critical components like fuel pumps, valves, and filtration systems significantly increases the probability of catastrophic equipment failure. Such failures can lead to fuel contamination or supply stoppages that can take weeks to rectify. Without a contract vehicle, emergent issues such as pipeline leaks, pump failures, or electrical faults cannot be addressed. This would force mission-essential fueling facilities to cease operations, creating an immediate and direct chokepoint in the strategic supply chain.

7. Efforts to Obtain Competition: The Contracting Officer published a Notice of Intent to Sole Source on 6 May 2026 satisfying the requirements of both RFO 5.101 and DFARS PGI 206.103-170 (DEVIATION 2026-O0017). While the standard 15-day synopsis period was considered, it would extend beyond the current contract expiration date. Therefore, a shortened notice period beginning 6 May 2026 is the only method to ensure uninterrupted mission support while maintaining compliance with public notification requirements. For this reason, the Notice of Intent was posted for 7 days; however, for this specific 10-week bridge, soliciting offers from other potential sources is not practicable. Bringing a new contractor up to speed for this short-term requirement would incur approximately [redacted] in duplicated start-up costs and cause unacceptable mission disruptions while the pending GAO protests are adjudicated. The overarching requirement, however, was recently the subject of full and open competition under Solicitation W912DY26RA017, demonstrating the Government's commitment to competition.

The Government received capabilities statements from three (3) contractors in response to the Notice of Intent to Sole Source posted from 6 -13 May 2026. While these responses provided valuable market research and further validated the incumbent's pricing as fair and reasonable, these responses also confirmed that onboarding a new vendor for a 10-week bridge period would result in a substantial duplication of costs and unacceptable mission delays. More specifically, a review of the responses indicated that none of the three contractors were capable of complying with and obtaining approval of all mandatory pre-performance requirements without creating a gap in service. Therefore, Weston Solutions, Inc. remains the only responsible source capable of fulfilling this short-term requirement without mission disruption.The approved justification will be published post-award in accordance with RFO 6.301, Availability of the Justification.

Effective competition: No effective competition is anticipated for this short-term standalone bridge. The action is being executed on a sole-source basis to the incumbent, Weston Solutions. This is the only viable course of action to ensure the seamless continuity of mission-critical Fuels services during the mandatory CICA stay of performance.

Subcontracting competition: Because this action is a short-term continuation of existing services, the incumbent will primarily leverage their already established, trained, and vetted network of subcontractors who possess direct experience with the specific site requirements. However, the Government will continue to monitor performance to ensure that the prime contractor obtains as much competition as possible for any new, unforeseen subcontracting opportunities that arise during the 10-week performance period.

8. Actions to Increase Competition:

- Successful Competitive Action: The bridge action covered by this justification was recently the subject of a full and open competition under Solicitation W912DY26RA017. The competitive action resulted in an award on 2 March 2026. This current sole-source action is a temporary bridge resulting from a CICA stay.

- Future Strategy: Upon resolution of the pending protests, the Government will proceed with the competitively awarded contract or take appropriate corrective action as recommended by the GAO.

- Ongoing Market Research: In addition to the recently completed competitive action, the Government is proactively developing a long-term contract vehicle designed to significantly enhance the competitive environment for future Fuels requirements, centering on the establishment of a dedicated Fuels Multiple Award Task Order Contract (MATOC) with periodic "on-ramping" provisions.

9. Market Research: Market research was conducted from 4 May 2026 to 13 May 2026 to determine the extent of competition and if there were any mandatory sources. This effort included the Contracting Officer’s publication of a Notice of Intent to Sole Source on 6 May 2026 and review of capabilities statements submitted in response to the Notice. The results indicate the existence of capable contractors able to perform the PWS work. However, any contractor other than the incumbent would require a significant and costly ramp-up period, leading to a duplication of costs and unacceptable delays for a 10-week bridge. More importantly, the submission, review and approval of all mandatory pre-performance requirements by any of the three responding contractors would create a gap in service. Therefore, awarding this short-term standalone contract to the incumbent is the most economical, efficient, and operationally sound approach.

10. Interested Sources: To date, no other sources have written to express an interest in this 10-week bridge acquisition, as it is a direct result of a CICA stay pending GAO protest resolution.

11. Other Facts:

a. Procurement history: CEHNC began using the GSA MAS 561210 in 2017 to provide the contractual flexibility needed to incorporate all components and services required by the Fuels Program while acquiring competitive pricing. As of FY2024, CEHNC can no longer use the GSA contract for the Fuels program due to GSA contract changes in FY2025. Table 3 and Table 4 show the procurement history for SAD-AF2.

Table 3: Fuels SAD-AF2 (Currently Under GAO Protest)	
Contract Number, Awarded Contractor:	W912DY26CA005, Pond Constructors, Inc.
Description of Requirement:	Fuels Preventative and Corrective Maintenance Services
Method of Procurement:	Full and Open Competition
Contract Type:	Firm-Fixed Price (FFP) Standalone Contract
Period of Performance:	2 March 2026 through 1 March 2029 (CICA Stay of Performance until 22 June 2026)
Total Awarded Amount:	$49,993,840.22
Number of Option Periods:	2 Option Periods and includes FAR 52.217-8, Option to Extend Services
Source Selection Method:	Informal Source Selection Procedures were used
Basis for Fair and Reasonable Pricing:	Independent Government Estimate and Competitive Pricing

Table 4: Fuels RMMR – SAD-AF	
Contract Number, Awarded Contractor:	GSA 47QSHA18D0016, TO#W912DY20F0475, Weston Solutions, Inc.
Description of Requirement:	Recurring Maintenance and Minor Repairs of DLA-E – SAD-AF
Method of Procurement:	Full and Open Competition
Contract Type:	FFP - GSA Task Order (Multiple Award Schedule (MAS03FAC)
Period of Performance:	14 August 2020 through 15 May 2026
Total Awarded Amount:	$42,698,816.50
Number of Option Periods:	2 Option Periods and includes FAR 52.217-8, Option to Extend Services
Source Selection Method:	Informal Source Selection Procedures were used
Basis for Fair and Reasonable Pricing:	Independent Government Estimate and Competitive Pricing

b. Other facts: Not applicable. All required information necessary for the justification is included in the previous sections.

12. Technical Certification: I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

[redacted]

CURTNEY WALTERS
Subject Matter Expert

13. Requirements Certification: I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

[redacted]

JESUS RAMIREZ-RODRIGUEZ
Program Manager

14. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable. This determination will be made using price analysis techniques in accordance with RFO 15.404-1 and comparison with the Independent Government Estimate. As part of the basis, certified cost or pricing data *will not* be required in accordance with RFO 15.403-2(b)(3).

[redacted]

TAMIKAH DUBOSE FREEMAN
Contracting Officer

15. Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

[redacted]

TAMIKAH DUBOSE FREEMAN
Contracting Officer

Approval

Based on the foregoing justification, I hereby approve the sole source procurement of a short-term standalone contract for Fuels preventative and corrective maintenance services within the South Atlantic Division in support of the Air Force (SAD-AF2) to Weston Solutions, Inc. in the amount of [redacted] on an other than full and open competition basis pursuant to the authority of RFO 6.103-1 – Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements. The approval is subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for acquisition.

[redacted]

TAMIKAH DUBOSE FREEMAN
Contracting Officer