U.S. Immigration and Customs Enforcement

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 USC 3304 (A): USE OF NONCOMPETITIVE PROCEDURES

J&A-26-0140

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11[1]) and in accordance with the requirements of RFO 6.104, the justification for the use of the statutory authority under RFO 6.103 is justified by the following facts and rationale required under RFO 6.104-1 as follows:

1. Agency and Contracting Activity.

The Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Office of Acquisition Management (OAQ), proposes to modify an existing contract on behalf of Enforcement and Removal Operations (ERO) on a basis of other than full and open competition.

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

(a) Nature of action: Contract Modification to Contract 70CDCR25P00000034 to increase funding by $60,031.57 for the Baltimore Area of Responsibility (AOR). This contract provides firearms training services for ICE law enforcement personnel. Due to a surge in law enforcement hiring and an increase in required firearms qualifications, contract funding has been expended more quickly than originally anticipated. Accordingly, this modification provides additional funding to support the continued performance of the existing contract requirements. This modification does not change the contract's period of performance or any other terms and conditions

(b) Name and address of the Contractor:

The Guntry Club of Maryland
POC Mark Gogol, CFO
10705 Red Run Boulevard
Owings Mills, MD 21117

(c) Contract Type: Firm Fixed Price

(d) Estimated Total Value (including options):

[1] FAR Class Deviation 25-11 is implemented as a result of Revolutionary FAR Overhaul, referred as RFO, following Executive Order 14275, ***Restoring Common Sense to Federal Procurement***. All citations in this document follow applicable DHS RFO Deviations therefore are referred as RFO.

(e) Type of funding: OD

Period		Unit Price	Total
Base Period	12 mo.	$10,005.26	$60,031.57
Base Period (P00001)	12 mo.	$10,005.26	$60,031.57
		Total	$120,063.14

(e) Year of funding: Fiscal Year 2025

(f) Solicitation Number: Not Applicable

(g) Background information about the requirement: This contract provides firearms training services for ICE Law Enforcement personnel. The firearms training services are mission-critical and required by all ICE Law Enforcement personnel per ICE Firearms and Use of Force Policy (2019). The contract was awarded with a period of performance of 09/15/2025 through 09/14/2026.

Since the original contract was established, there has been a dramatic increase in the number of ICE Law Enforcement personnel and the increase in the firearms qualifications training, the original funding amount has been fully utilized and additional funding is need through the remaining period of performance.

3. Description of Supplies/Services.

This requirement provides firearm training services for the base period at a total estimated cost of $120,063.14. The base period was initially funded in the amount of $60,031.57. Due to the DHS surge in hiring Law Enforcement Officers and the resulting increase in firearms qualification requirements, utilization exceeded projections and the initial funding was exhausted sooner than anticipated. Accordingly, an additional $60,031.57 is required to fully fund the base period, resulting in a total base period funding of $120,063.14. This modification increases funding only and does not change the contract's period of performance or any other terms and conditions.

4. Identification of statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is 41 U.S.C. §3304 as implemented by:

☒ RFO 6.103-1: Only one responsible source and no other supplies or services will satisfy agency requirements.

☐ RFO 6.103-2: Unusual and compelling urgency.

☐ RFO 6.103-3: Industrial mobilization; engineering, development, or research capability; or expert services.

☐ RFO 6.103-4: International agreement.

☐ RFO 6.103-5: Authorized or required by statute.

☐ RFO 6.103-6: National security.

☐ RFO 6.103-7: Public interest.

41 U.S.C. §3304(a)(1[D).

5. Identification of Exception to the Buy American Statute
Exceptions listed under RFO 25.103(b)(2) or RFO 25.202(a)(2)) are not applicable.

6. **Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited**.

Other facilities were evaluated; however, none can satisfy the Government's combined operational and training requirements to the same extent as The Guntry Club. The Government requires a single facility capable of supporting quarterly firearms qualifications, rifle qualifications, defensive tactics, intermediate force weapon training, active firearms tactical exercises (AFTEs), scenario-based training, classroom instruction, and individual or remedial training while providing scheduling flexibility that minimizes operational disruptions to law enforcement personnel.

The Guntry Club, located in Owings Mills, Maryland, is the only facility identified within a 30-mile radius of the field office that provides all required training capabilities at a single location. The facility provides an indoor 25-yard pistol range, an indoor 100-yard rifle range, a 340-degree training simulator, defensive tactics mat room, classrooms, and turning-target systems that support the Government's firearms qualification requirements. Housing these capabilities at one location allows instructors to conduct integrated training events without transporting personnel between multiple facilities, resulting in greater training efficiency, reduced downtime, and lower administrative burden.

Alternative facilities were considered but were determined incapable of meeting the Government's requirements because they lack one or more critical capabilities. Specifically, other facilities do not provide the required combination of pistol and rifle qualification ranges, defensive tactics space, scenario-based training areas, classroom facilities, and flexible scheduling necessary to support quarterly qualifications, make-up training, and remediation. In addition, market research determined that no other facility within a 30-mile radius of the field office meets all of these requirements. Facilities located farther away would significantly increase travel time, reduce officer availability, increase transportation costs, and create scheduling challenges that would negatively affect mission operations.

The Guntry Club also offers unique operational advantages that directly support the Government's training requirements. As an indoor facility, it permits year-round training regardless of weather conditions and enables reduced-light firearms training without requiring shift changes or after-hours scheduling. Its proximity to the field office (approximately 34 miles round trip) minimizes travel time and time away from operational duties while providing sufficient scheduling flexibility to accommodate individual and remedial training when needed. The facility also complies with Occupational Safety and Health Administration (OSHA) standards and provides appropriate medical facilities with access to local emergency medical services (EMS), ensuring a safe training environment.

Failure to obtain these services from The Guntry Club would adversely affect the Government's ability to conduct required firearms qualifications and associated law enforcement training in an efficient and timely manner. Utilizing multiple facilities or facilities lacking the required capabilities would increase operational costs, create scheduling conflicts, reduce training effectiveness, delay qualification and remediation training, and increase the amount of time officers are unavailable to perform mission-critical duties. These impacts would reduce operational readiness and impair the agency's ability to maintain mandatory law enforcement training and certification requirements.

7. Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

OAQ conducted market research to identify as many potential sources as practicable that could satisfy the Government's training requirements. The market research included reviewing commercially available firearms training facilities within the geographic area, evaluating vendor websites and publicly available information, and assessing each facility's ability to provide the Government's required combination of firearms qualification ranges, defensive tactics training areas, scenario-based training capabilities, classroom space, and scheduling flexibility.

The Government also evaluated each facility's proximity to the field office to ensure travel requirements would not adversely impact mission operations. The market research determined that while other facilities offer some of the required services, none, other than The Guntry Club, provide all required capabilities at a single location within a 30-mile radius of the field office. Based on the results of this market research, no other responsible source was identified that could meet the Government's minimum requirements without compromising operational efficiency, increasing costs, or disrupting mandatory law enforcement training.

8. Determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The contracting officer determined that the anticipated cost will be fair and reasonable based on a review of the contractor's proposed pricing, comparison with historical pricing for similar services, and consideration of current market conditions.

9. Description of Market Research.

Market research was conducted in September 2025 to identify vendors capable of providing firearms training range services for ICE law enforcement personnel. Multiple commercial vendors were identified and evaluated based on the Government's minimum requirements, including the ability to provide, at a single location within a 30-mile radius of the field office, an indoor pistol range, an indoor rifle range, defensive tactics training space, scenario-based training capabilities, classroom facilities, turning-target systems, and flexible scheduling to support quarterly qualifications, remedial training, and other required law enforcement training. Although multiple vendors were identified, only The Guntry Club of Maryland was determined capable of meeting all of the Government's minimum requirements. The remaining vendors lacked one or more critical capabilities and, therefore, could not satisfy the Government's operational and training needs.

Prior to recompeting this requirement, updated market research will be conducted to identify all potential sources capable of fulfilling the requirement. The Government will solicit offers from as many capable sources as is practicable.

10. Any other facts supporting the use of other than full and open competition.

Not Applicable.

11. A listing of the sources, if any that expressed, in writing, an interest in the acquisition.

The following sources expressed interest in providing firearms training range services: Heritage Training and Shooting Center, Maryland Police and Correctional Training Commissions (MPCTC), FLETC Cheltenham, and the CBP facility in Harper's Ferry, West Virginia. These sources were evaluated against the Government's minimum requirements; however, none were able to meet all requirements. The Guntry Club of Maryland was determined to be the only responsible source capable of fulfilling the Government's complete requirement.

12. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services required.

Prior to any subsequent acquisition, OAQ will conduct updated market research to identify additional capable sources and assess whether any barriers to competition can be removed or mitigated. These efforts may include reviewing newly available commercial sources, reassessing

geographic requirements, and evaluating whether changes in the marketplace provide additional opportunities for competition while continuing to meet the Government's operational and training requirements.

13. Contracting Officer's Certification.

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

Digitally signed by IAN J SOMPPI
Date: 2026.07.30 14:10:05 -04'00'

Contracting Officer _____ Date _____

14. Technical/Requirements Personnel Certification.

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

DIONNE K JONES Digitally signed by DIONNE K JONES
Date: 2026.07.30 13:59:40 -04'00'

Technical Representative/COR _____ Date _____