JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

SECTION 1: IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

Department of State Contracting Activity	☐ Office of Acquisitions Management ☐ Foreign Service Institute ☐ Office of Foreign Missions ☐ U.S. Mission to the United Nations ☒ Overseas Post – U.S. Embassy Uganda
Requiring Activity	U.S. EMBASSY UGANDA

SECTION 2: NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED

Approval is requested to award a non-competitive contract for preventive maintenance services for two sliding gates and two bi-fold gates installed at U.S. Government facilities in Uganda. The two sliding gates are located at MCAC and SCAC and so are the two bi-fold gates.
The contractor shall provide all labor, supervision, technical expertise, specialized tools, inspections, testing, adjustments, and maintenance services necessary to ensure the gates remain safe, reliable, and operational in accordance with manufacturer recommendations and applicable safety standards.
This is a new requirement to establish a preventive maintenance program for these existing gates.
The anticipated contract period shall consist of a one-year base period and four option years, subject to availability of funds and satisfactory contractor performance and the total estimated cost for these services is $177,206.

SECTION 3: DESCRIPTION OF SUPPLIES/SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS

The Government requires comprehensive preventive maintenance services for three Schindler 5500 elevator systems installed at its facilities.

No	Asset Type	Equipment ID	Manufacturer	Model	Serial Number
1	Sliding Gate	SCAC-AN -13-1	HySecurity	31 Slide Driver	36C 332-2035-375
2	Sliding Gate	MCAC-AN-13-1	HySecurity	31 Slide Driver	36C 332-2035-374
3	Bi-Fold Gate	SCAC-AN-13-2	HySecurity	Slide Driver 50VF 2/3	208789
4	Bi-fold Gate	MCAC-AN-13-2	HySecurity	Slide Driver 50VF 2/3	208788

Services required include, but are not limited to:

- Scheduled preventive maintenance inspections.
- Functional testing of gate safety devices and critical operating components.
- Inspection, adjustment, lubrication, and cleaning of gate equipment.
- Diagnostic testing and troubleshooting.
- Minor corrective repairs necessary to maintain operational reliability.
- Emergency call-back support.
- Software updates and system configuration support, where applicable.
- Provision and installation of manufacturer-approved replacement parts and consumable components.
- Submission of maintenance reports and service documentation.
- Technical support and recommendations regarding equipment condition and lifecycle requirements.

These sliding and bi-fold gates are mission-critical, life-safety systems that support daily facility perimeter security, controlled access, and occupant safety.
The estimated value for the entire period of performance is $177,206.

SECTION 4: IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

This acquisition is conducted under the authority of 41 USC 3304, as implemented by FAR 6.3 and substantiated by the following:

☒ FAR 6.302-1 – Only one responsible source and no other supplies or services will satisfy agency requirements.

☐ FAR 6.302-2 – Unusual and compelling urgency.

☐ FAR 6.302-3 – Industrial mobilization; engineering, developmental, or research capability; or expert service.

☐ FAR 6.302-4 – International Agreement.

☐ FAR 6.302-5 – Authorized or required by statute.

☐ FAR 6.302-6 – National Security.

☐ FAR 6.302-7 – Public Interest.

SECTION 5: DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

The Government's facilities contain two bi-fold gates and two sliding gates that incorporate manufacturer-specific technologies, proprietary software, specialized diagnostic tools, and unique maintenance procedures. TYMETAL is the manufacturer of these gates with technical resources, specialized diagnostic capabilities, approved replacement parts, and current technical information required to properly maintain the gates.
The use of a non-authorized maintenance provider may limit access to manufacturer support resources, proprietary software tools, technical updates, and approved replacement components. Such limitations could increase equipment downtime, negatively impact gates reliability, introduce safety risks associated with servicing life-safety systems and could cause compromise to the embassy security system.

Engaging a manufacturer reduces these risks and helps ensure the gates are maintained in accordance with specifications and established maintenance procedures.

SECTION 6. DESCRIPTION OF EFFORTS TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE, INCLUDING WHETHER A NOTICE WAS OR WILL BE PUBLICIZED AS REQUIRED BY FAR SUBPART 5.2 AND, IF NOT, WHICH EXCEPTION UNDER FAR 5.202 APPLIES

Market research was conducted to identify qualified sources capable of providing manufacturer-authorized maintenance support for existing HySecurity gate systems installed in Uganda.
The Government failed to identify any authorized dealer of HySecurity representative for Uganda.
Because the acquisition is being conducted under FAR 6.302-1, the Government does not anticipate soliciting offers from additional sources that lack manufacturer authorization for HySecurity systems.
The Contracting Officer will determine whether synopsis requirements apply and whether an exception under FAR 5.202 is applicable.

SECTION 7. DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT IS FAIR AND REASONABLE

The Contracting Officer has determined the anticipated $177,206 to the Government for the services covered by this J&A will be fair and reasonable based on cost analysis.
By signing the justification, the Contracting Officer makes a determination that the $177,206 to the Government is expected to be fair and reasonable.

SECTION 8. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED (SEE PART 10) AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED

No additional sources were identified that possess documented manufacturer authorization to provide comprehensive manufacturer-backed maintenance support for HySecurity gate systems in Uganda.

The results of the market research support the determination that a manufacturer-authorized source is required to satisfy the Government's needs.

SECTION 9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

The sliding and bi-fold gates support essential building security operations and accessibility within the two Government facilities. Operational interferences may negatively affect personnel movement, visitors, persons with disabilities, routine operational activities and security control measures.
Because sliding and bi-fold gates are life-safety systems, maintenance activities require specialized technical expertise and adherence to manufacturer requirements to minimize risks associated with equipment failure, operational disruptions, and unsafe operating conditions.

SECTION 10. LISTING OF THE SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

At this time, no additional sources have expressed, in writing, an interest in this acquisition.

SECTION 11. STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

Prior to future acquisitions, the Government will continue to assess the marketplace to identify any additional qualified and manufacturer-authorized sources capable of supporting HySecurity equipment in Uganda.

The Government will periodically reassess its requirements and competition opportunities to maximize competition whenever practicable.

SECTION 12. CERTIFICATIONS

All reviews and approvals should be completed in the order listed unless otherwise authorized or required.

TECHNICAL AND REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:
SIGNATURE:

_____ _____

Deogratias Mpango — Date
HVAC Technician (COR)

Requirements Cognizance:
SIGNATURE:

_____ _____

Raphael K. Ngotie — Date
Facilities Manager

CERTIFICATIONS (Continued)

CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(a)(12))
I certify that this submission is accurate to the best of my knowledge, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

SIGNATURE:

_____ _____

Jennifer J. Robertson — Date
Contracting Officer