JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION (OTFAOC)

Federal Acquisition Regulation (FAR) Part 6 Justification & Approval (J&A), Supporting Procurements under FAR Part 12, and FAR Part 15

Purchase Request Number: HQ0516629334
Contract Number: HQ0516-21-C-0015
Task/Delivery Order Number: N/A
Procurement Title: War Media Activity-Riverside, Broadcast Network (BNET) ISP (6 month FAR-8 extension)
Estimated Value: [redacted]
Statutory and Regulatory Authority: 10 U.S.C. 3204(a)(1), FAR 6.302-1

Justification for OTFAOC Number: 26-1029

Upon the basis of the following justification, I, as the Contracting Officer, hereby approve the use of other than full and open competition of the proposed contractual action pursuant to the authority of FAR 6.302-1.

1. REQUIRING ACTIVITY AND CONTRACTING ACTIVITY:

Requiring Activity:
War Media Activity-Riverside (WMA-Riverside)
23755 Z Street
Riverside, CA 92518

Contracting Activity:
WMA Headquarters (HQ)
Acquisition and Procurement (A&P) Directorate
6700 Taylor Avenue
Fort Meade, MD 20755

2. NATURE/DESCRIPTION OF ACTION(S): This justification provides the authority to exercise the option period available under FAR 52.217-8/, Option to Extend Services, on a sole source basis with the incumbent Contractor, Frontier Communications. This action will be a firm fixed price modification to contract HQ0516-21-C-0015.

Controlled By: WMA
Controlled By: Technology Support Office (TSO)
CUI Category: SSEL
Distribution/Dissemination Control: FEDCON
POC: Michael Echenique,
michael.g.echenique.civ@mail.mil

Per FAR 17.207(f), because this six-month option period was not priced or evaluated as part of the initial competitive award, its exercise must be justified as a new, non-competitive procurement.

3. DESCRIPTION OF SUPPLIES/SERVICES: This action provides for the continuation of critical services including 10 Gb/s Ethernet Internet Access EIA connection to the internet, to include a vendor provided Gigabit Router, having a /25 with 128 public IP addresses. The /25 public IPs will be routed to WMA from an additional /31 point-to-point line between the ISP router and WMA Riverside. The period of performance is 01 September 2026 through 28 February 2027.

4. IDENTIFICATION OF STATUTORY AUTHORITY: Only one responsible source and no other supplies or services will satisfy agency requirements, 10 U.S.C. 3204(a)(1) (FAR 6.302-1/DFARS 206.302-1)

5. DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICATIONS: Frontier California is the only internet provider that has the necessary infrastructure to supply this service to WMA-Riverside. This service requires fiber lines to support 10 Gigabytes of bandwidth. The only company that has this in place to service Government needs at Riverside, CA operations is Frontier California. Other companies will claim to be able to supply this service, however, they can only purchase the same service from Frontier California and sell it to the Government with a markup.

(a) Description of events. HQ0516-21-C-0015 was awarded on August 25, 2021, to Frontier California, Inc. This company is the only ISP vendor with the infrastructure capable of meeting the requirements of providing Internet service to WMA-Riverside.

(b) Justification.

(1) Minimum Government requirements. 10 Gb/s EIA connection to the internet, to include a vendor provided Gigabit Router, having a /25 with 128 public IP addresses. The PWS for this contract requires 99.99% availability to support the 24x7x365 broadcast mission of the American Forces Network (AFN). A transition to a new provider would introduce significant risks of service disruption, which the performance work statement (PWS) explicitly forbids ("There shall be no loss of service during the installation, testing or activation phases").

(2) Proposed sole source contractor. Frontier California, Inc.
401 Merritt 7
Norwalk, Connecticut
06851-1000

(3) Discussion regarding cause of the sole source situation. In addition to the incumbent Contractor's unique position as the only provider with the necessary fiber infrastructure at the WMA-Riverside facility, the decision to pursue a sole-source award is strongly supported by fiscal and operational realities. The facility is

scheduled for permanent closure in 2027. Any attempt to transition to a new ISP would involve significant, non-recoverable expenses for installation, engineering, and equipment, as well as potential service disruptions during the transition. Incurring these costs and operational risks for a service that is only required for a limited period until the facility decommissions would be an irresponsible use of government funds. The incumbent's existing infrastructure allows for the continuation of critical services without the unnecessary expenditure and risk associated with a short-term transition.

(4) Impact. The impact of a lapse in this service would be severe and immediate, resulting in mission failure for the AFN-BC. The 10 Gb/s internet connection is the sole mechanism for acquiring television and radio content from suppliers. Without it, the AFN-BC would be unable to produce and distribute its broadcasts, leading to a complete disruption of news, information, and entertainment services for U.S. forces and their families stationed overseas. This would cause an incalculable negative impact on morale and readiness, directly undermining the mission to support the warfighter. Therefore, ensuring continuity of this specific service is of paramount importance for the operational life of the facility.

6. CONTRACT OPPORTUNITIES ANNOUNCEMENT/POTENTIAL SOURCES: a “Notice of Intent to Award a Sole Source Contract” was publicized on the Government-wide Point of Entry (Sam.gov) on 7 July 2026 in accordance with FAR Subpart 5.2. for 15 days. Any responses received from the notice will be evaluated; however, it is anticipated that only the incumbent possesses the unique qualifications and immediate capacity to fulfill the requirement without causing mission failure.

7. DETERMINATION OF FAIR AND REASONABLE COST: The Contracting Officer will determine that the anticipated cost for this six-month extension is fair and reasonable. In accordance with FAR 52.217-8, "Option to Extend Services," the extension will be executed "at the rates specified in the contract.”

The rates in the underlying contract, HQ0516-21-C-0015, were established through full and open competition and were determined to be fair and reasonable at the time of award. As this action will utilize those same competitively established rates without upward adjustment, the resulting total price for the six-month extension is also considered fair and reasonable. The Contracting Officer will verify that the correct rates are applied and will issue a bilateral modification to exercise the option. No further price negotiation is required.

8. MARKET RESEARCH: A search was conducted utilizing the Small Business Administration’s (SBA) small business search tool (https://search.certifications.sba.gov/) using NAICS 517111, Wired Telecommunications Carriers. Although this search identified 200 small businesses, none of the vendors are capable of meeting the requirements of the Government for uninterrupted service.

Market research to estimate the costs of using alternate technical solutions included: Internet research, reviewing GSA Advantage and comparing existing contract cost information. This

research was conducted in June 2026. The market research report determined that alternate technical solutions would not meet the government's requirement for this acquisition. The only source with the fiber infrastructure in place to support this requirement is Frontier California. All other companies can only purchase the same service the Government can purchase directly and sell it to the Government with a Mark-up.

Contract HQ0516-21-C-0015 and associated Sources Sought dated 27 January 2021 were reviewed to identify any potential vendors interested in this acquisition. While multiple vendors responded to the Sources Sought Notice expressing initial interest, only a single quotation was received in response to the formal solicitation, submitted by Frontier California, LLC.

Based on current market research dated June 2026, the Contracting Officer determined that only the incumbent contractor, Frontier California Inc. (Frontier), possesses the existing physical fiber infrastructure required to support this network connection. Consequently, Frontier is the only commercial source capable of fully meeting the Government's needs without causing unacceptable mission delays and a substantial duplication of installation costs.

9. ANY OTHER SUPPORTING FACTS: N/A

10. LISTING OF INTERESTED SOURCES: A Notice of Intent to Award a Sole Source contract was posted to Sam.gov from 7 July 2026 to 22 July 2026. No responses expressing interest in the acquisition were received.

11. ACTIONS THE AGENCY MAY TAKE TO REMOVE OR OVERCOME BARRIERS THAT LED TO THE EXCEPTION TO FULL AND OPEN COMPETITION:

(a) Procurement History.

Contract Number: HQ0516-21-C-0015
Period of Performance: 1 September 2021 to 31 August 2026
Contract Value: [redacted]
Competition Status: Unrestricted

(b) Due to the planned closure of the WMA-Riverside facility in 2027, the requirement for this service at this location will cease to exist. Therefore, no future actions to overcome competition barriers are planned or necessary for this specific requirement.

TECHNICAL CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

NAME: [redacted] DATE: See Signature Block

TITLE/ORGANIZATION: [redacted]

PHONE: [redacted]

REQUIREMENTS CERTIFICATION: I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.

NAME: [redacted] DATE: See Signature Block

TITLE/ORGANIZATION: [redacted]

PHONE:

CONTRACTING OFFICER CERTIFICATION: I certify that this justification is accurate and complete to the best of my knowledge and belief.

[redacted]

NAME: [redacted] DATE: See Signature Block

TITLE/ORGANIZATION: [redacted]

PHONE: [redacted]

ALL QUESTIONS REGARDING THIS JUSTIFICATION ARE TO BE REFERRED TO [redacted]