Justification for Other than Full and Open Competition (JOFOC)
FAR 6.103- 2

1. **Acquisition Title:** Non-human Primate Acquisition, Testing, Transportation and Holding
   Division: National Institute of Allergy and Infectious Diseases (NIAID)/Division of Intramural Research (DIR)-National Institutes of Health (NIH)
   Contracting Activity: NIH Office of Acquisition and Logistics Management (OALM)
   [redacted]
   Basis for approval under FAR 6.104(c): Class Basis.

2. **Nature and/or Description of the Action being Approved:**

The National Institute of Allergy and Infectious Diseases (NIAID), Division of Intramural Research (DIR), on behalf of the National Institutes of Health (NIH) Intramural Research Program (IRP), requests approval to modify the existing multiple-award Indefinite Delivery/Indefinite Quantity (IDIQ) contracts, Contract Nos. 75N98021D00015, 75N98021D00017, 75N98021D00018, and 75N98021D00019, to extend the ordering period by one year. This action extends only the ordering period of these IDIQ contracts and does not increase the maximum contract value of any of the IDIQ contracts. The total maximum value for all four IDIQ contracts is $160,302,318.42 To date task orders with a total value of $85,452,010.42 have been awarded and $74,850,308.00 is still remaining in the IDIQ maximum.

The proposed extension of the ordering period from August 1, 2026, through July 31, 2027, is necessary to ensure uninterrupted acquisition of non-human primates (NHPs) and associated importation, transportation, quarantine, holding, veterinary care, breeding support, and colony management services pending completion of the competitive follow-on acquisition. The extension will provide continuity of mission-critical support for NIH biomedical research and allow sufficient time to complete the follow-on procurement and transition to the successor contract(s). This bridge action does not expand the scope of the existing contracts and is limited to the minimum period necessary to avoid a lapse in services.

Contractor: Envigo Global Services				
Schedule Contract Number: *75N98021D00015*				
Performance Period	**Dates/Duration**	**Unit Price/CLIN**	**Multiplier**	**Total**
Ordering Period	*August 1, 2021 – July 31, 2026*	*$*	*1*	*$47,024,581.42*
Original Contract Maximum:			$47,024,581.42	
New Contract Maximum:			*$47,024,581.42*	

IDIQ Maximum Remaining:		*$3,790,131.00*

Contractor: ***Alpha Genesis***				
Schedule Contract Number: *75N98021D0017*				
Performance Period	**Dates/Duration**	**Unit Price/CLIN**	**Multiplier**	**Total**
Ordering Period	*August 1, 2021 – July 31, 2026*		*1*	*$55,673,523.00*
Original Contract Maximum:			*$55,673,523.00*	
New Contract Maximum:			*$55,673,523.00*	
IDIQ Maximum Remaining:			*$29,048,597.00*	

Contractor: MD Anderson Cancer Center				
Schedule Contract Number: *75N98021D00018*				
Performance Period	**Dates/Duration**	**Unit Price/CLIN**	**Multiplier**	**Total**
Ordering Period	*August 1, 2021 – July 31, 2026*		*1*	*$7,890,939.00*
Original Contract Maximum:			*$7,890,939.00*	
New Contract Maximum:			*$7,890,939.00*	
IDIQ Maximum Remaining:			*$6,754,805.00*	

Contractor: ***World Wide Primates***				
Schedule Contract Number: *75N98021D00019*				
Performance Period	**Dates/Duration**	**Unit Price/CLIN**	**Multiplier**	**Total**
Ordering Period	*August 1, 2021 – July 31, 2026*		*1*	*$49,713,275.00*
Original Contract Maximum:			*$49,713,275.00*	
New Contract Maximum:			*$49,713,275.00*	
IDIQ Maximum Remaining:			*$35,256,775.00*	

3. Description of Supplies and/or Services:

This multiple-award Indefinite Delivery/Indefinite Quantity (IDIQ) contract serves as the NIH-wide contract vehicle for obtaining NHPs and related services. Because research requirements are driven by evolving scientific priorities, the Government cannot predict in advance the specific species, quantities, timing, or locations of NHP acquisitions needed during the period of performance. The IDIQ contract structure provides the flexibility necessary to meet these variable requirements while ensuring that qualified sources are available to respond to NIH's research needs.

In addition to NHP acquisition, the contract provides specialized holding and colony management services for Government-owned NHPs maintained at contractor facilities. These services include housing, veterinary care, husbandry, breeding support, health monitoring, quarantine, transportation, and related services necessary to maintain compliance with the Animal Welfare Act, Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals, U.S. Department of Agriculture (USDA) regulations, and other applicable federal requirements. The continuation of these services is essential to support ongoing NIH research programs and to ensure the uninterrupted care and welfare of Government-owned animals.

4. Statutory Authority Cited and Rationale: FAR 6.103-2, Unusual and compelling urgency. Authority: 41 U.S.C. 3304(a)(2).

a. FAR 6.103-2, Unusual and compelling urgency. Authority: 41 U.S.C. 3304(a)(2).
The NIH has an immediate and continuing requirement for the acquisition, importation, transportation, quarantine, testing, holding, breeding support, veterinary care, and colony management of non-human primates (NHPs) that support critical biomedical research. Pursuant to FAR 6.103-2, this requirement is of such unusual and compelling urgency that limiting competition is necessary because the Government would be seriously injured if these services were interrupted while the follow-on competitive acquisition is completed.

The current contracts support the acquisition of multiple NHP species and provide continuous housing, husbandry, veterinary care, breeding support, and colony management for thousands of Government-owned NHPs maintained at contractor facilities. These animals support research conducted by multiple NIH Institutes and Centers in areas including infectious diseases, immunology, neuroscience, vaccine development, biodefense, and other public health priorities. Many research programs involve long-term studies that depend upon uninterrupted access to specific animals and continuous veterinary oversight. A lapse in contractor support would disrupt ongoing research programs and jeopardize the Government's investment in unique research colonies that require continuous management and veterinary oversight.

A lapse in contractual coverage would also leave the Government without a contractual mechanism to provide the housing, husbandry, veterinary care, breeding support, colony management, transportation, quarantine, and regulatory oversight required for Government-

owned NHP colonies maintained at contractor facilities. NIH does not possess the in-house personnel, specialized facilities, veterinary infrastructure, or operational capacity necessary to assume these highly specialized functions. As a result, any interruption in contractor performance would place NIH at immediate risk of failing to meet its obligations under the Animal Welfare Act, the Public Health Service Policy on Humane Care and Use of Laboratory Animals, applicable USDA regulations, and Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC) International accreditation standards.

Using conventional competitive procurement procedures at this time would result in an unacceptable delay in providing these mission-critical services. Although the Government has initiated the follow-on competitive acquisition, the remaining time before expiration of the current contracts is insufficient to finalize requirements, issue the solicitation, evaluate proposals, make award, and accomplish an orderly transition to the successor contractor(s).

The timeline for the follow-on competitive acquisition was significantly and unavoidably affected by external Government-wide actions beyond the agency's control. Specifically, Executive Order 14210, *Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative* (Feb. 11, 2025), directed the federal agencies, including the Department of Health and Human Services (HHS), to prepare for large-scale reductions in force (RIFs) and organizational restructuring. Implementation of these Government-wide workforce initiatives and related Executive Branch directives required agencies to realign organizational structures, reassign personnel, and modify internal review and approval processes. These actions disrupted established acquisition workflows, extended legal and management review timelines, and delayed completion of critical procurement milestones necessary to award the follow-on competitive acquisition. Despite the Government's continued efforts to advance the acquisition, these external circumstances made it not feasible to complete the competitive procurement before expiration of the current contracts.

In addition, organizational changes within NIH resulted in a comprehensive reassessment and subsequent revision of the agency's acquisition strategy for these mission critical services. As part of this strategic realignment, NIH determined that future requirements will be procured through a single, NIH-wide contract vehicle that is contemplated and designed to provide an enterprise-wide acquisition solution for fulfill these requirements across the Institutes and Centers (ICs). The NIH-wide approach is expected to improve operational efficiency by eliminating duplicative contracting efforts, promoting consistency in acquisition planning and contract administration, enhancing acquisition oversight, and streamlining the procurement process across the agency. However, the NIH-wide contract vehicle is still under development and will not be available in time to satisfy the Government's immediate mission requirements. Delaying the acquisition until the NIH-wide vehicle is established would result in an unacceptable interruption of critical animal services and would adversely affect NIH's ability to support its mission. If contract coverage lapses, NIH's biomedical research mission would be significantly affected. Researchers could be unable to obtain animals needed for approved studies, ongoing research could be delayed or suspended, and valuable research data and prior Government investments could be jeopardized. Such disruptions would increase costs associated with restarting or extending research, delay scientific advances that support public health, and expose the Government to operational, financial, regulatory, and reputational risk. Approval of this justification is therefore necessary to ensure continuity of critical research operations while protecting Government-owned animals and preserving the Government's investment in these programs.

This extension is not intended to avoid competition or satisfy long-term program requirements; rather, it is a stop gap action necessary to prevent a lapse in essential services while preserving ongoing biomedical research, protecting Government-owned assets, maintaining compliance with applicable animal welfare requirements, and ensuring continuity of NIH's critical public health mission. Accordingly, the requested extension is limited to the period reasonably necessary to complete the competitive acquisition and transition to the successful contractor(s).

5. Special Considerations for Certain Contract Extensions or Bridge Contracts:

The proposed action is a one-year extension of the current multiple-award Indefinite Delivery/Indefinite Quantity (IDIQ) contracts for the acquisition of non-human primates (NHPs) and associated holding, colony management, and veterinary support services. The current contracts were competitively awarded in 2020 under full and open competition as multiple-award IDIQ contracts to provide NIH with a flexible and reliable contract vehicle for acquiring various NHP species and supporting Government-owned NHP colonies.

Task orders may be issued through July 31, 2027, the end of the extended ordering period. In accordance with FAR 52.216-22, *Indefinite Quantity*, task orders issued before the expiration of the ordering period may continue through their established periods of performance until completion of the required work, even if performance extends beyond the expiration of the ordering period. Historically, task orders issued under these IDIQ contracts have generally had one-year periods of performance, and the Government expects task orders issued during the extended ordering period to follow the same practice. The extension of the ordering period does not alter the terms and conditions or extend the performance period of previously awarded task orders.

The Government's objective remains to competitively award the follow-on contract(s) by March 2027 under the future NIH-wide Animal Resources contract vehicle. This acquisition remains a high priority, and the Government has been actively executing its acquisition strategy to support this objective. Despite the Government's diligent efforts, circumstances outside of its control affected the acquisition schedule and prevented completion of the competitive procurement within the required timeframe, necessitating this bridge action.

The Government is actively advancing the acquisition by finalizing the Statement of Work (SOW) and Independent Government Cost Estimate (IGCE), while concurrently preparing the remaining acquisition documentation. These efforts are being executed in accordance with an established acquisition schedule designed to support issuance of the solicitation, completion of the competitive procurement, and award of the future Animal Resources contract vehicle, as well as the follow-on contract(s) to these IDIQ contracts. The anticipated solicitation date is around November 2026 and the anticipated award date is on/around March 2027. Upon award of the NIH-wide contract vehicle, the Government will transition to using the newly established vehicle as expeditiously as practicable. The Government will continue to dedicate the resources necessary to complete this acquisition as expeditiously as possible and remains fully committed to achieving a timely, competitive award under the future NIH-wide Animal Resources contract vehicle.

It would be neither cost-effective nor operationally feasible to transition these services to another contractor for a temporary interim period. Performance of this requirement requires specialized facilities, experienced veterinary and animal care personnel, established breeding and acquisition networks, regulatory approvals, validated quality systems, and compliance with the Animal Welfare Act, Public Health Service Policy, USDA regulations, and AAALAC International accreditation standards. Establishing these capabilities requires significant time and financial investment and cannot be accomplished without substantial start-up costs.

Furthermore, transferring Government-owned NHP colonies to an interim contractor would require extensive planning, veterinary evaluations, transportation logistics, regulatory approvals, and phased relocation of animals to minimize stress and maintain animal welfare. Such a transition would increase costs, disrupt ongoing research, introduce unnecessary operational risk, and potentially delay active research protocols. Following the bridge period, a second transition to the ultimate follow-on contractor would further increase costs and operational complexity while providing no measurable benefit to the Government.

6. Actions to Increase Competition:

a. A Notice Was Not Published:

A notice for the proposed contract action will not be published. This acquisition is being conducted pursuant to FAR 6.103-2, Unusual and Compelling Urgency, and the exception to synopsis requirements at FAR 5.101 (b)(2) applies because publication of a notice would unnecessarily delay the acquisition and the Government's need is of such an unusual and compelling urgency that the Government would be seriously injured if the agency complied with the normal synopsis requirements.

b. Responses Were Not Received:

Not applicable. Because a notice will not be published for the proposed contract action, no responses to a synopsis are anticipated.

c. Sources Expressing Interest:

No additional sources have expressed written interest in the proposed contract action.

Should any source express interest prior to award, the Government will evaluate the information provided and consider whether the source demonstrates the capability to meet the Government's requirements within the required timeframe.

d. Actions to Foster Competition for Future, Similar Requirements:

This bridge action is a temporary measure intended solely to ensure continuity of mission-critical services while the Government completes the follow-on acquisition. The NIH has already initiated acquisition planning for the successor requirement, which will be awarded using the animal resources contract. As part of this effort, the Government has conducted updated market research, reviewed current industry capabilities, and evaluated the existing acquisition strategy to maximize competition to the greatest extent practicable.

The follow-on acquisition will include the publication of the appropriate pre-solicitation and solicitation notices in accordance with applicable FAR requirements, providing all eligible sources the opportunity to compete. The Government will continue to monitor industry capabilities, engage with potential offerors as appropriate during acquisition planning, and consider any new responsible sources identified through market research or other outreach activities.

7. Market Research:

Market research supporting this extension is based on the Government's ongoing assessment of industry capability and availability throughout performance of the current contracts. The Contracting Officer's Representative (COR) maintains ongoing awareness of industry capabilities through routine oversight of contractor performance, direct engagement with industry, attendance at federal and professional laboratory animal meetings, participation in scientific conferences involving NHP research, monitoring of industry developments, and assessment of potential new market entrants. This continuous market surveillance has not identified any additional responsible sources capable of providing the full range of required services and infrastructure necessary to meet the Government's immediate requirements.

The marketplace remains extremely limited because performance requires specialized breeding colonies, accredited facilities, veterinary expertise, importation capabilities, regulatory compliance, and substantial financial investment that cannot be established within the timeframe available for this bridge requirement. Accordingly, the Government determined that no additional responsible sources have become available since award of the current contracts could satisfy the Government's requirements without unacceptable disruption.

8. Procurement History:

Contractor	*Contract Number*	*Award Date*	*Competitive Status*	*Maximum Contract Value*

Envigo Global Services Inc.	*75N98021D00015*	*August 1, 2021*	*Full and Open*	*$47,024,581.42*
Alpha Genesis Inc.	*75N98021D00017*	*August 1, 2021*	*Full and Open*	*$55,673,523.00*
MD Anderson Cancer Center	*75N98021D00018*	*August 1, 2021*	*Full and Open*	*$7,890,939.00*
World Wide Primates Inc.	*75N98021D00019*	*August 1, 2021*	*Full and Open*	*$49,713,275.00*

No prior noncompetitive contract actions, bridge contracts, or sole-source extensions have been executed under these contracts.

9. Additional Information or Other Facts: N/A

10. Technical or Requirements Program Management 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]

[redacted]

Program Analyst ***Signature & Date:***

11. Fair and Reasonable Price Determination: As the contracting officer, I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable.

Select the applicable squares to mark the techniques used:

This determination will be made using the following: ☐ cost analysis ☐ price analysis ☐ cost realism ☐ market pricing historical pricing

X other: Describe the methodology or combination of methodologies that will be used. See FAR subpart 15.2 for proposal analysis guidance. *The proposed pricing is based on the fully burdened labor rates established under the applicable IDIQ contracts. These labor rates were previously determined to be fair and reasonable through the competitive award of the subject IDIQ contracts and remain applicable in accordance with the contract terms and conditions. Price analysis is conducted at the task order level to evaluate the overall proposed price for each individual requirement. This analysis includes an assessment of the proposed labor categories, labor mix, level of effort, and any applicable other direct costs to ensure they are appropriate, necessary, and consistent with the Government's requirements.*

As a part of this basis, certified cost, or pricing data (see FAR 15.403)—

☐ will be required. X will not be required and the following FAR part 15 exception applies:

☐ Prices that will be agreed upon are based on adequate price competition.

☐ Prices that will be agreed upon are based on prices set by law or regulation.

☐ A commercial item is being acquired.

☐ A waiver has been granted by the HCA in accordance with FAR 15.403-2(c)(4).
☐ The contract action is a modification to a contract or subcontract for commercial item(s).
X The estimated cost of the contract action is less than the threshold for certified cost or pricing data. There will be no additional value added.

12. Contracting Officer (CO) Certification and Determination: I hereby certify that this justification is accurate and complete to the best of my knowledge and belief. And, based upon the foregoing, I also determine that using a sole-source contract is in the best interest of the NIH.

[redacted] Signature & Date: [redacted]

13. NIH OALM Strategic Sourcing Division Director: I reviewed this justification and find that it adequately supports other than full and open competition.

for [redacted] Signature & Date: [redacted]

ELEVATED REVIEWS & APPROVALS

14. NIH Head of the Contracting Activity (HCA) Review and Approval: I reviewed this justification and find that it adequately supports other than full and open competition.

for [redacted] Signature & Date: [redacted]

15. NIH Advocate for Competition Review and Approval: I reviewed this justification and find that it adequately supports other than full and open competition.

[redacted] Signature & Date: [redacted]