

**Contracting Without Full and Open Competition Justification and Approvals
(Reference FAR 6.303-2)**

Agency: United States Environmental Protection Agency, Office of Air and Radiation (OAR), Office of Transportation and Air Quality (OTAQ), Transportation and Regional Programs Division (TRPD)

Contracting Activity: Cincinnati Procurement Operations Division, Norwood Ohio

Contract No.: EP-C-07-078, "Program Support, Analysis, and Advancement of the OTAQ's Transportation Emission Reduction and Fuel Savings Program"

2. Nature and/or description of the action:

The US Environmental Protection Agency (EPA) requires an increase to the level of effort labor hours and a 2 month extension to the contract entitled, "Program Support, Analysis, and Advancement of the OTAQ's Transportation Emission Reduction and Fuel Savings Program" for an additional 2880 level of effort labor hours. The current contract period expires August 31, 2011. Due to a delay in award of the follow-on contract, services will need to be extended to the end of October 2011. Therefore it is requested additional level of effort and time be added to the contract. The current contractor providing the services is Eastern Research Group.

3. Description of the Supplies or Services:

The OTAQ efforts to be supported by this contract may include compliance programs such as Transportation Conformity and voluntary and innovative programs such as the SmartWay Transport program (SWT), and the National Clean Diesel Campaign (NCDC) It may also include the development of future programs. EPA programs must be implemented and evaluated on the basis of clear scientific measures to ensure that they provide the best environmental improvements; therefore, analysis and testing are important to these programs. For the voluntary programs in particular, it is vitally important to inform partners and the public of these programs in order to encourage broader participation and to expand and enhance current and future programs in accordance with EPA goals. The contractor shall provide services to support OTAQ in accomplishing various air quality improvements, including: Outreach and Marketing Support, Data Management, Program and Emissions Analyses, and Vehicle and Engine Testing. It is particularly critical that work such as Smartway Supply Chain Analysis and NCDC Helpline continue without lapse while award of the follow-on contract is still in progress. If support is not continued there will be no support for the NCDC helpline, which provides important information to industry and the public about the Diesel Emissions Reduction program and critical work on the SWT Supply Chain Analysis would halt, seriously delaying the implementation for several transportation-related initiatives. In addition important work for the Inspection and Maintenance (I/M) Program Characterization has already been delayed approximately six months awaiting the award of the follow-on contract and it is affecting analysis of current and potentially future I/M programs .

4. Estimated value:

\$292,578 -Based on an estimated 2880 Level of Effort (LOE) Hours

5. Authority:

The authority for this action is 41 U.S.C. 253(c), FAR cite 6.302.1 "Only One Responsible Source"

6. Describe how the contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:

Eastern Research Group has spent the past three years under this contract supporting many OTAQ work assignments successfully. Eastern Research Group's staff is familiar with all OTAQ processes, including maintaining good partner relations and the data collection to track the SmartWay progress. If work has to stop, before a new contract is issued, there is a potential of losing support from the Smartway partners, and the environmental benefits SmartWay has been achieving will be lost. In addition, the current toll-free helpline for the NCDC program would be halted so members of industry and the public would no longer be able to obtain information on the program and again, the program and its environment benefits could suffer lack of support because of non-responsiveness. Finally, important work on the I/M Program Characterization that will be essential if EPA strengthens the national

ambient air quality standard for ground-level ozone and new I/M areas has already been delayed by approximately six months and further delays could affect the effectiveness of current and future I/M areas. The contract is in its final contract period. It is impossible to transfer the knowledge to another contractor within such a short period of time and would add substantially to the time frame for completion of each of these work assignments. A change of contractor will result in a duplication of cost to the Government and will cause unacceptable delays in the efforts of the ongoing contract work assignments.

7. The contracting officer determines that the anticipated cost to the Government will be fair and reasonable because a complete analysis of all costs using audits, commerciality, previous history, or other appropriate means will be fully utilized prior to the extension. The previous costs were determined to be fair and reasonable at the time of award and were accomplished through a competitive process.

The anticipated cost to the Government is expected to be fair and reasonable because the Project Office (PO) has knowledge and expertise in this area, and is well aware of the costs to perform these services. The PO has been conducting reviews and projects similar to this one for over 15 years, and has experience with cost and technical oversight to insure that any cost proposal accepted by the Government is fair and reasonable.

8. Description of the market research conducted (see FAR Part 10). If no market research was conducted, state the reasons:

Notice posted on FEDBIZOPS on August 3, 2011 and closed August 18, 2011.

9. Other facts supporting the use of other than full and open competition.

An award to another source for this short period would result in substantial duplication of cost to the Government in training, travel and initial start-up costs, and these costs will not be "recovered through lower overall costs due to any competition.

10. List sources that expressed, in writing, an interest in the acquisition. If no sources expressed an interest in writing, indicate such.

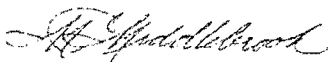
No sources have expressed an interest in writing.

11. Include a 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.

The follow-on acquisition will be processed using Full and Open Competition.

Technical Officer's Certification

I certify that the facts and representations stated in this justification are complete and accurate which forms the basis to award this requirement.

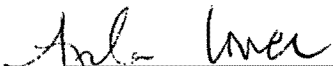


Joie Middlebrook, Project Officer
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(734) 214-4934

Date: 25 August 2011

12. Contracting Officer's Certification:

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



Angela Lower, Contracting Officer
lower.angela@epa.gov
(513) 487-2036

Date: 8/25/11

APPROVING

Reviewing Official(s):

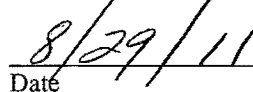
Level Above Contracting Officer



Signature

Sandra Savage, Team Leader

Printed Name and Title



Date