

**Contracting Without Full and Open Competition Justification and Approval  
FAR 6.302-1**

1. **Agency:** U.S. Environmental Protection Agency (EPA)  
Office of Air and Radiation  
Office of Transportation and Air Quality  
2000 Traverwood Drive  
Ann Arbor, MI 48105

**Contracting Activity:** OAM/ Cincinnati Procurement Operations Division

**Contract No.:** EP-C-06-080

**Contractor:** Eastern Research Group  
3508 Far West Blvd  
Suite #200  
Austin, TX 78731-2281

2. ***Nature and description of this action:*** This is a sole source action to extend the existing contract for six months with Eastern Research Group (ERG) for off-site testing support services at EPA's facilities in Ann Arbor, MI. EPA requires the extension of the contract, entitled "National Deployment of Portable Emissions and Activity Measurement Devices" for a 6-month period from September 1, 2011 to February 29, 2012. These services are currently provided by Eastern Research Group under Contract No. EP-C-06-080, which will expire on August 31, 2011. ERG is the only responsible source able to perform this 6-month effort due to its combination of research expertise, knowledge of the research equipment, and familiarity with the data for ongoing projects required to meet EPA's critical deadlines during the 6-month period.

***Description of the services:*** ERG is currently providing services for off-site testing support services for the Office of Transportation and Air Quality, Assessment Standards Division in Ann Arbor, MI. Some examples of these services include the managing test programs at other testing facilities, designing test programs, analyzing data (quality control and quality assurance) and support services to EPA's modeling efforts. The contractor also presents reports on their work.

4. ***Estimated value of extension:*** [REDACTED] based on 4305 Level of Effort (LOE) Hours for a six-month performance period from 09/01/2011 through 02/29/2012

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

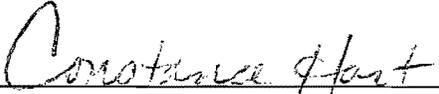
6. ***Describe how the contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:*** This contract was originally procured using full and open competition procedures. This firm has satisfactorily performed the services for the past five years. Much of the research performed under this contract is critical to EPA's mission and any delays or interruptions would be unacceptable and damaging to the research, modeling and regulatory areas. Work performed spans a multitude of diverse topics. Critical studies include research into the emission and activity of mobile sources: EPA is conducting numerous research programs into

both exhaust and evaporative emissions on light-duty vehicles and light-duty trucks in support of new proposed regulations in late 2011. These studies require critically expertise in management of test programs, quality control and quality assurance practices, statistical methods, testing procedures, sampling methodologies and data analyses methods; (WA # 4-4, WA4-6, and WA4-15) ERG is also supporting data analyses on activity and emission research on heavy-duty vehicles. New sampling and data analyses are being conducted that will further provide EPA with a better understanding on how these vehicles are being used. These efforts are being conducted with the state of Texas through the Houston Galveston Area Council using a cooperative and research and development agreement (CRADA) (WA # 4-13). EPA is investigating new modeling techniques (cloud computing) that are allowing significant reductions in modeling run times (WA # 4-12). National modeling runs conducted on mobile source model (MOVES) in support of our new regulations and in the future will support State and local governments in their State Implementation Plans (SIPs) to help with their emission analyses. ERG's combination of research expertise, knowledge of the research equipment, and familiarity with the data for ongoing projects, places them in the position of being the only possible contractor which can meet EPA's critical deadlines during the six-month period from September 1, 2011 to February 29, 2012.

7. ***Describe the efforts made to ensure that offers are solicited from as many potential sources as practicable:*** Notification of EPA's intent to negotiate on a sole source basis with ERG for the proposed extension was issued on FedBizOpps on 8/04/2011. A response from potential offerors was requested no later than 8/19/2011. No responses were received.
8. ***Determination of reasonable cost:*** 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 experience with overseeing this contract effort and can assist to insure that any cost proposal accepted by the Government is fair and reasonable. Also, it is anticipated that the contractor will extend its current rates for the extension period.
9. ***Description of market research conducted:*** As stated in Item 7 above, a notice was placed in FedBizOpps on 8/04/2011. Interested parties were required to submit a capability statement in response which may be considered as a means of fulfilling EPA's requirement. No responses were received.
10. ***Other facts supporting the use of other than full and open competition:*** N/A
11. ***List sources that expressed, in writing, an interest in the acquisition:*** None
12. ***Include a statement of actions, if any, the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services required.*** This justification for other than full and open competition is for services that are not currently available from another qualified source due to the reasons stated above. The follow-on acquisition is being procured as full and option competition. To overcome barriers to future competition for these services market research was conducted, including posting a sources sought FedBizOpps synopsis on EPA's Acquisition website on 6/18/2010 and posting a FedBizOpps synopsis on 3/10/11 to try to enhance competition. The RFP was issued on 05/18/2011 with a submission date of 6/17/2011.

13. Technical Officer's Certification

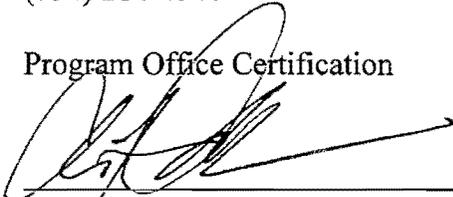
I certify that the facts and representations stated in this justification are complete and accurate which form the basis to award this requirement.

  
\_\_\_\_\_

Date: August 30, 2011

Constance Hart  
Project Officer  
(734) 214-4340

Program Office Certification

  
\_\_\_\_\_

Date: 8-30-2011

Christopher Grundler  
Deputy Director, OTAQ  
(734) 214-4207

14. Contracting Officer's Certification:

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

  
\_\_\_\_\_

Date: 8/31/11

Angela Lower  
Contracting Officer  
(513) 487-2036

15. Approving Official:  
Level above Contracting Officer

  
\_\_\_\_\_

Date: 8/31/11

Sandra Savage  
Contracting Officer/Team Leader  
(513) 487-2046