

**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 to the contract entitled, "Program Support, Analysis, and Advancement of the OTAQ's Transportation Emission Reduction and Fuel Savings Program" for an additional 2,206 level of effort labor hours. The current contract period expires August 31, 2011. Due to an increased need of services, the current contract period level of effort labor hours will be expended by the end of February 2011. Therefore additional levels of effort are required to be added to the contract. The current contractor providing the services is Eastern Research Group.

3. Description of the Supplies or Services:

The additional 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), as well as the Energy Policy Act of 2005 Diesel Emission Reduction program known as DERA, and the American Reinvestment and Recovery Act (ARRA). 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.

4. Estimated value:

██████████ - Based on an estimated 2,206 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. 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 Officer (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.

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.

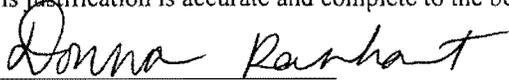


Date: 1/12/11

Joie Middlebrook, Project Officer
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(734) 214-4934

12. Contracting Officer's Certification:

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



Date: 1/31/11

Donna Reinhart, Contracting Officer
Reinhart.donna@epa.gov
(513) 487-2114

Reviewing Official(s):

Level Above Contracting Officer



Signature

2/7/11
Printed Name and Title

Date