

Justification for Other than Full and Open Competition (JOFOC)
Authority: 41 U.S.C. 253(c) , FAR PART 6.3

1. **Agency:** U.S. Environmental Protection Agency
Contracting Activity: Purchase of ASTM Standards
Requisition No.: PR-OEI-11-01172
Contractor: ASTM International

2. **Nature and/or description of the action:**

This is a sole source procurement for the recurring electronic subscription to the American Society for Testing and Materials (ASTM) book of standards. ASTM sets the guidelines that, although voluntary, to which the international community generally agrees for the materials, products, systems and services it uses. The members of ASTM are recruited from the manufacturing, academic and consumer community and reach a consensus on establishing the guidelines for the promulgation of codes and regulations that cover the manufacture and use of a variety of consumer products. ASTM International is the sole proprietor and publisher. Since EPA is one of the regulatory agencies, its scientists need to access current standards for their research prior to establishing implementing regulations, and subscribing to ASTM publication is the method of gaining it, and an online subscription is the most economical way to provide access to its employees who live in many different locations.

3. **Description of the Supplies or Services:**

The Office of Environmental Information (OEI) provides online entry to ASTM's exclusive publication of the complete book of standards using its four umbrella Internet Protocol (IP) addresses for all Agency staff and onsite contractors.

Period of performance: 9/30/2011 – 09/30/2012.

Estimated value: \$19,482.00

Proposed Source: ASTM International
100 Barr Harbor Drive
P.O. Box C700
W. Conshohocken, PA
19428-2959
Contact: Jill Walters

TEL: 1-610-832-9611
Email: jwalters@astm.org

DUNS No.:00-199-3369

4. **Authority:** [Check appropriate exception.]

[X] Only One Responsible Source

Authority: 41 U.S.C. 253 (c) (1)

FAR Cite: FAR 6.302-1

Unusual and Compelling Urgency

Authority: 41 U.S.C. 253 (c) (2)

FAR Cite: FAR 6.302-2

Industrial Mobilization

Authority: 41 U.S.C. 253 (c) (3)

FAR Cite: FAR 6.302-3

International Agreement

Authority: 41 U.S.C. 253 (c) (4)

FAR Cite: FAR 6.302-4

Authorized or Required by Statute

Authority: 41 U.S.C. 253 (c) (5)

FAR Cite: FAR 6.302-5

National Security

Authority: 41 U.S.C. 253 (c) (6)

FAR Cite: FAR 6.302-6

Public Interest

Authority: 41 U.S.C. 253 (c) (7)

FAR Cite: FAR 6.302-7

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

ASTM International is the sole provider of the ASTM Standards and entering into a sole source agreement with ASTM International is the only method of obtaining electronic access. ASTM International has no authorized distributors of its hard copy or electronic resource book.

6. **Describe the efforts made to ensure that offers are solicited from as many potential sources as practicable:**

ATSM International provided a statement signed by the group's authorized officer that it maintains the exclusive rights.

7. **The contracting officer determines that the anticipated cost to the Government will be fair and reasonable due to the vendor's published rates, or other available price information.**

ASTM International is a non-profit organization that publishes its costs on its internet website. ASTM International subscriptions are comparable to other online publications as varied as the American Chemical Society, the National Contract Management Association and American Music Therapy Association.

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

EPA didn't do any additional market research in addition to the FedBizOps notice of its sole source intention.

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

The contracting officer published a notice of intent of EPA's intent to enter into a sole source procurement in FedBizOps prior to entering into the agreement.

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

No other individual or company expressed an interest.

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.

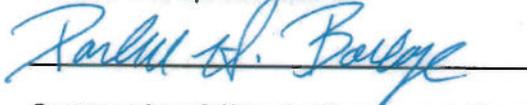
The Agency continues to search for other qualified international sources that it can use in its research and can cite as the bases for its regulations and policies.

Approvals

Contracting Officer's Representative'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.

Signature of the Contracting Officer's
Technical Representative



Printed Name of the Contracting Officer's
Technical Representative

Darlene H. Boerlage

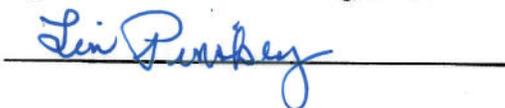
Contracting Officer's Representative E-Mail and Telephone Number
boerlage.darlene@epa.gov (202) 566-0675

Date: August 14, 2011

Contracting Officer's Certification

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

Signature of the Contracting Officer



Printed Name of the Contracting Officer

Lin Pinskey

Contracting Officer's E-mail and Telephone Number
pinskey.lin@epa.gov (202) 564-4394

Date: September 18, 2011