

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION****Solicitation No.: R16PS01580****Project Name: GCPO Dumpster and Garbage Services**

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In accordance with FAR 6.302, the proposed contractual action is pursuant to the statutory authority of 41 U.S.C. 253(c)(1).

1. **Agency and Contracting Activity.** Department of the Interior, Bureau of Reclamation, Pacific Northwest Regional Office.
2. **Nature/Description of Action.** The Pacific Northwest Regional Office intends to issue a solicitation and award for garbage services at GCPO only to Sunrise Disposal. This is a firm, fixed-price action for garbage services. Reclamation intends to award a performance-based service contract. Non-appropriated and appropriated funds will be used for this procurement. The funds will be provided on a yearly basis.
3. **Description of Supplies/Services.** The purpose is for Sunrise Disposal to furnish all labor, equipment and materials to properly dump, haul and dispose of waste/garbage from Government-owned 1 and 2-yard dumpsters. In addition, monthly hauling and disposing of waste/garbage from one (1) each Contractor-furnished 10-yard dumpster that will be moved around project not to exceed six times a year. Finally, monthly hauling and disposing of wood debris from two (2) each Contractor-furnished 20-yard wood skips. The base year and four option years period of performance is September 15, 2016 through September 14, 2021. The estimated value for the base year and four option years is \$.
4. **Statutory Authority Permitting Other than Full and Open Competition.**  
**Authority** 41 U.S.C. 253(c)(1)  
**FAR Coverage** FAR 6.302-1  
**Application** Only one responsible source and no other supplies or services will satisfy agency requirements
5. **Demonstration of Contractor's Unique Qualifications.** The Washington Utilities and Transportation Commission (WUTC) regulates all solid waste companies that collect and transport solid waste for compensation, over any public street, road, or highway in Washington State. The Washington Administrative Code (WAC) 480-70 and Revised Code of Washington (RCW) 81.77 contain the laws for Washington State applicable to solid waste collection. These laws require that a solid waste company must have certificate of public convenience and necessity issued by the WUTC to provide solid waste service. Under the provisions of 42 U.S.C 6961 the Federal Government must comply with state and local requirements regarding control and abatement of solid waste or hazardous waste disposal and management in the same manner and to the same extent as any person subject to such requirements. The WUTC was contacted for a list of certified vendors. WUTC guidance was to contact the City of Grand Coulee and the two

companies authorized to serve are Waste Management and Sunrise Disposal. The City of Grand Coulee informed BOR that the dumpsters were out of the city limits and to contact Sunrise Disposal directly. The customer service center for Waste Management informed BOR they do not provide service around Grand Coulee Dam. The only vendor that provides service around Grand Coulee dam is Sunrise Disposal. Sunrise Disposal is the only solid waste collection company certified to operate in the area around Grand Coulee Dam by the WUTC.

6. **Description of efforts made to maximize competition.** The source pool is limited by Washington State's requirement to regulate the solid waste industry. Reclamation needs to have a contractor that is certified by the WUTC. A notice will be published in accordance with FAR 5.2 and vendors expressing interest will be referred to the WUTC.
7. **Determination of Fair and Reasonable Cost.** The regulation of all solid waste companies by the WUTC includes approving all tariffs. The approval process to create/update a tariff is established in the WUTC Cost Assessment Guidelines for Local Solid Waste Management Planning, Second Edition, Revised, August 2001. The guidelines require each company must prove its proposed rates are fair, just, reasonable and sufficient, by filing detailed financial and operational data. No company may assess or accept payment for service that is higher, lower, or different from the rates and charges contained in the approved tariff. The company is entitled to recover appropriate expenses, and a reasonable profit. In determining the company's gross revenues, the Commission uses a historical test period.
8. **Description of Market Research Conducted.** The information to determine this requirement as a sole source was gathered from the Washington Utilities and Transportation Commission website (<http://www.utc.wa.gov/regulatedIndustries/transportation/solidWaste/Pages/default.aspx>). The WUTC was emailed, who referred BOR to the City of Grand Coulee, Waste Management and Sunrise Disposal. In addition the City of Grand Coulee and Waste Management were telephoned on August 1, 2016 to determine capability and interest. Both declined as the dumpsters are out of their service areas. Sunrise Disposal is under a short term purchase order providing the dumpster service, so their interest and capability is already determined.
9. **Any Other Supporting Facts.** None.
10. **Listing of Interested Sources.** The only vendor that has expressed interest is Sunrise Disposal.
11. **Actions Taken to Remove Barriers to Competition.** In this case, the barrier causing sources to have to be limited is Washington State's requirement to regulate all solid waste companies that collect and transport solid waste for compensation, over any public street, road, or highway in Washington State. Any interested vendors will be referred to the WUTC to obtain certification to provide solid waste disposal around Grand Coulee Dam. Any company that receives certification from WUTC will be considered for award.

All supporting data provided and the contents of this justification are complete and accurate to the best of my knowledge and belief. (FAR 6.303-2(c)).

**REQUESTING OFFICE REPRESENTATIVE CERTIFICATION:** *All supporting data provided and the contents of this justification are complete and accurate to the best of my knowledge and belief. (FAR 6.303-2(c))*