

Justification for Other Than Full and Open Competition  
 (Limited or Sole Source Justification)  
 (Refer to FAR 6.303-2 for further guidance on information to be provided)

**Subject of Justification – Hydrologic Data Collection Contract**

US Department of Interior, Bureau of Reclamation  
 Upper Colorado Region Acquisition Management Division  
 Salt Lake City, UT

<b>1- Office requesting the action</b>	
Bureau of Reclamation, San Luis Valley Project, Closed Basin Division	
<b>2- Description of proposed action</b>	
<i>Mark one.</i>	
<input checked="" type="checkbox"/> sole source acquisition <span style="margin-left: 200px;"><input type="checkbox"/> limited competition acquisition</span>	
<b>3- Description of services or supplies needed</b>	
<p>Must be available on an “on call” basis as conditions arise that readings must be taken on a daily basis.</p> <p>The data consists of copies of all field measurement records for all sites and developed rating tables for water measuring structures and devices which include, but are not limited to, the following locations: <b>Please see attached list with available equipment.</b></p> <p>Utilizing the Stevens Recorder provided by CDWR, the monthly record of flow through the Parshall Flume is submitted on a monthly basis.</p> <p>The data collected is analyzed and the results forwarded within five working days after the end of the month in which the work is performed.</p> <p>A water year record, both calendar &amp; fiscal (October 1 through September 30), of the flows at the 12-foot Parshall Flume will be submitted to the United States Geological Survey (USGS) for review on or before February 15 of each year. Upon USGS approval, the report is presented / submitted to the Rio Grande Compact Commission the end of February.</p> <p>The original data will be filed for the period of time required by the Rio Grande Compact for hydrologic data. These records will be available to Reclamation, the Compact Commission, and other agencies for publication or other related work.</p>	
<b>4- Estimated cost</b>	\$ 107,500 (Total for 5-Year Contract)
<b>5- Authority</b>	
<i>Mark the primary basis for the proposed action.</i>	
<input checked="" type="checkbox"/> FAR 6.302-1 Only one responsible source <span style="margin-left: 100px;"><input type="checkbox"/> FAR 6.302-4 International agreement</span> <input type="checkbox"/> FAR 6.302-2 Unusual and compelling urgency <span style="margin-left: 100px;"><input type="checkbox"/> FAR 6.302-5 Authorized or required by statute</span>	

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FAR 6.302-3 Industrial mobilization, engineering, development or research capability; or expert services

FAR 6.302-6 National security

FAR 6.302-7 Public interest (Requires determination by the Agency Head.)

**5a- Address specifically how the authority applies**

*State conditions related to the requirement, contractor(s) qualifications; etc. (Refer to the "Application" and "Limitation" portion of the applicable FAR citation.)*

CDWR routinely rates the flume and reviews the record on a daily, monthly, and annual basis and together with BOR submits readings for final review and analysis by the Rio Grande Commission Engineer Advisors. That record along with many others from throughout the basin are presented in final form to the Rio Grande Compact Commission for final approval.

Twenty years of data prepared by the Colorado Division of Water Resources provides not only baseline data from the first year of operation of the project, but consistency / reliability, in reporting water deliveries to the Rio Grande. This hydrological data is of utmost importance in reporting and documentation in case of legal action against the Project on a state or national level.

FAR 13.106-1(b)

**6- Effort made to obtain offers from multiple sources**

*Name the source(s) from which the product(s) or service(s) are to be acquired. Be sure to include discussion as to which exception under 5.202 applies if publicizing is not intended. (This would only apply to actions under the FAR authorities 6.302-2, -3, -5, and -7.)*

Contacted: Agro Engineering – Kirk Thompson – Alamosa, CO – 719-852-4957  
Davis Engineering – Alan Davies – Alamosa, CO - 719-589-3004

**7- Description of market research performed**

*Explain actions taken and provide (by attachment) documentation of results of the market research, or an explanation of why no market research was done.*

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Davis engineering – Alan Davies – Alamosa, CO - 719-589-3004

Firms stated they do "real time" measurements and don't have the equipment to record or store information. Their services are to check the accuracy of installed flow meters on a periodic basis.

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<b>8- Determination of fair and reasonable cost</b>
<i>Explain how we know or will be able to determine reasonableness of costs.</i>
<p>The Colorado Division of Water Resources has been collecting hydrologic data from the waterways, pumping plants, and measuring structures within the Closed Basin Division Project area for the last twenty years with only a 3% (approximate) increase in price each year.</p>
<b>9- Other facts supporting use of other than full and open competition</b>
<i>Address applicable items such as why specifications, statement of work, etc., are not or cannot be available timely; harm, financial or otherwise, to the Gov't if not procured as proposed, etc.</i>
<p>Three years ago, ground water rules were established by the Division Engineers' Office implementing the requirement that every well have a meter which is accumulative recording of gallons of water pumped. Closed Basin wells are metered, but the only site accumulatively metered is at the Parshall Flume. All water pumped by the salvage wells goes through and is accumulatively measured at this site by the CDWR utilizing their own equipment. If a third party were to perform this service for AFD, and the CDWR, who take measurements anyway, were to find a discrepancy in the readings provided by this third party, then all data could be in question and AFD could lose the variance granted by the State of Colorado. If this variance is lost, the cost to meter 170 wells will cost \$850,000. AFD must be compliant and satisfy the State of Colorado in these reporting requirements; the reports generated by CDWR on Closed Basin well's water production meet these needs and are a vital part of reporting to the Rio Grande Compact Commission.</p> <p>The CDWR is an active participant in the complexity of meeting Rio Grande Compact requirements among the following: The states of Colorado, New Mexico and Texas, and the Nation of Mexico. Their longstanding and continued involvement in the Hydrologic data collection is integral in administering and assuring the success of the multi-state and nations involved in the Rio Grande Compact.</p>
<b>10- List any sources that have expressed interest in this proposed acquisition</b>
N/A
<b>11- Effort to overcome barriers to competition for future acquisition</b>
<i>Explain what can and will be done to improve our ability to obtain competition for these services or supplies when next required.</i>
<p>Under the current market conditions and due to CDWR's role in management of water for the State of Colorado, it is difficult to get adequate third party accountability monitoring on the wells to meet State requirements. AFD will continue to consider circumstances in the future and will make adjustments as necessary.</p>

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<b>12- Certification</b>	
Preparer's / requestor's name  Billy Elbrock	Preparer's / requestor's title  Supv. Facilities Operations Specialist
I certify that the information and documentation provided with this requested justification are accurate and believe they form a valid basis to proceed with the requested acquisition without full and open competition.	
Preparer / requestor signature <i>(Proposed actions \$100k or less, do not require original signature. The request can be transmitted electronically.)</i>	Date
<b>Approval Requirements</b> <i>(refer to WBR 1406):</i>	
<b>Mark one.</b>	
<input checked="" type="checkbox"/> The requested action is <b>APPROVED</b> :	<input type="checkbox"/> The requested action is <b>DENIED</b> <i>(Explanation is provide below.)</i>
I certify that this justification is accurate and complete to the best of my knowledge and belief and hereby approve this justification and authorize the action to proceed.	
Contracting Officer's name  <i>to be determined</i> <i>Approves ≤\$25k; reviews &gt; \$25k</i>	CO signature  Date
Chief of the Contracting Office's name  <i>Mike C. Ward</i> <i>Approves &gt;\$25k, up to \$550k; review &gt;\$550k</i>	<i>Mike C. Ward</i> 25 Sep 2009 CCO signature Date
Bureau Procurement Chief's name  <i>Approves &gt;\$550k, up to \$11.5mln; reviews &gt;\$11.5mln</i>	BPC signature Date
Head of the Contracting Activity's name  <i>Approves &gt;\$11.5mln, up to \$57mln; reviews &gt;\$57mln</i>	HCA signature Date
DOI Senior Procurement Executive's name  <i>Approves &gt;\$57mln</i>	SPE signature Date

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Explanation of denial:

## Sites

Parshall Flume

CHO1, CHO2, CHO3, CHO4.

Alamosa National Wildlife Refuge Pumping Plant.

San Luis Lake Pumping Plant Discharge.

San Luis Lake Feeder Canal.

San Luis Lake Flume.

San Luis Creek at San Luis Lake.

Head Lake Turnout.

Head Lake Flume.

Big springs Creek Flume.