

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Solicitation No.: R17PS00091

Project Name: Law Enforcement Patrol Services, Eastern Colorado Area Office, Ruedi Dam and Reservoir, Eagle County, Colorado

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.

Requiring Agency

Eastern Colorado Area Office
Ruedi Dam
Basalt, Colorado

Contracting Activity

Great Plains Regional Office
Acquisition Services
Billings, Montana

2. Nature/Description of Action.

Provide security, surveillance, and law enforcement through award of a service contract using fiscal year 2017 (FY17) security funds.

3. Description of Supplies/Services. Conduct security surveillance patrols at Ruedi Dam.

This facility is located in Eagle and Pitkin Counties, near the town of Basalt. Security surveillance patrols for the above listed facility will be completed by uniformed and armed peace officers in clearly marked vehicles [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] 365 days per year. The estimated value of these services is approximately [REDACTED] annually. The needed services for this contract are required for the foreseeable future; therefore, the contract will include four (4) 1-year base periods. In total, the contract period of performance is estimated at January 1, 2017 through December 31, 2021 valued at [REDACTED]. This will be a firm-fixed price performance based service contract.

4. Statutory Authority Permitting Other than Full and Open Competition.

	Authority	FAR Coverage	Application
<input checked="" type="checkbox"/>	41 U.S.C. 253(c)(1)	FAR 6.302-1	Only one responsible source and no other supplies or services will satisfy agency requirements
<input type="checkbox"/>	41 U.S.C. 253(c)(2)	FAR 6.302-2	Unusual and compelling urgency
<input type="checkbox"/>	41 U.S.C. 253(c)(3)	FAR 6.302-3	Industrial mobilization; engineering, developmental or research capability; or expert services
<input type="checkbox"/>	41 U.S.C. 253(c)(4)	FAR 6.302-4	International Agreement
<input type="checkbox"/>	41 U.S.C. 253(c)(5)	FAR 6.302-5	Authorized or required by statute

<input type="checkbox"/>	41 U.S.C. 253(c)(6)	FAR 6.302-6	National Security
<input type="checkbox"/>	41 U.S.C. 253(c)(7)	FAR 6.302-7	Public Interest

5. Demonstration of Contractor’s Unique Qualifications.

(1) Reclamation’s security program requirements mandate that armed law enforcement personnel be readily available to respond to any intrusion alarm, terrorist or domestic threat, or other criminal activity on a 24/7 basis. The Eagle County Sheriff’s Office (Sheriff) is the only law enforcement agency with full arrest authority that is able to meet the requirements of the contract. [REDACTED]

[REDACTED] The Sheriff’s Office is the only law enforcement agency who can immediately comply with and respond to Reclamation’s Threat Condition Protective Measures for [REDACTED].

Reclamation’s facilities are located in Eagle and Pitkin counties. However, the Pitkin County Sheriff is not willing to perform services for the contract as the majority of the required patrols are in Eagle County and are too distant for Pitkin County patrol. As a result, the Eagle County Sheriff and the Pitkin County Sheriff will have a Memorandum of Understanding that Eagle County will have full arrest authority in Pitkin County. This is a continuing practice between law enforcement agencies, and is not Reclamation specific.

Reclamation’s security program requires on-going networking with the Sheriff’s Office for the purpose of performing periodic security drills, functional and table-top exercises, periodic and comprehensive security reviews, and other security related activities to ensure that law enforcement personnel are responsive and knowledgeable of Reclamation’s security program requirements. This ensures that deputies are knowledgeable of the dams, powerplants, other infrastructure, and the surrounding areas and can respond to any tactical type of security emergency or need.

(2) Reclamation and the Sheriff’s Office have worked cooperatively over the past 14 years to provide law enforcement support, enforcement, and emergency response at Reclamation facilities located within Eagle and Pitkin Counties. The Sheriff’s Office has primary jurisdiction in Eagle County and has expert knowledge of the Colorado law. The Sheriff’s Office is the primary source for law enforcement support and is empowered by the State with full arrest authority in Eagle County. In addition, the Sheriff is the immediate emergency responder and is authorized by the State of Colorado to carry firearms in the performance of duty.

The Sheriff’s Office works cooperatively with and has immediate access to a trained explosive disposal team and has a Special Weapons and Tactics (SWAT) team to deal with unique situations which could potentially occur at Reclamation facilities. The Sheriff’s Office is very experienced with a variety of investigations they have

performed on or near Reclamation lands such as: homicides, suicides, accidental drowning, thefts, vandalism, illegal drugs, etc. The Sheriff's Office has a working relationship with the 5th Judicial District Attorney's Office and judicial system which provide a complete follow through and handling of any necessary criminal prosecutions.

6. Description of efforts made to maximize competition.

A Notice of Intent was posted to FedConnect and FedBizOpps on August 25, 2016. As of today, no responses to the posting have been received. Any responses received will be addressed by Reclamation and attached to this justification.

7. Determination of Fair and Reasonable Cost. The estimated cost of this transaction is [REDACTED] in FY17. Since 2012, Reclamation has worked cooperatively with the Eagle County Sheriff's Office for security surveillance and law enforcement. The proposed price for this security contract is consistent with what Reclamation has previously paid for these services while considering a slight increase in cost due to inflation. In addition, the hourly rates, mileage rates and overhead costs identified by Eagle County are similar to those proposed by other Counties in the State of Colorado for similar services. No award will be made without a determination of fair and reasonable cost by a Contracting Officer.

8. Description of Market Research Conducted. Market research consists of contact with the Sheriff's Office, previous requirements in R12PX60317, Internet searches, and other contracts for security patrol services throughout Reclamation.

9. Any Other Supporting Facts.

None.

10. Listing of Interested Sources.

No sources have expressed an interest in this contract action in response to the public posting of the Notice of Intent. If any sources express interest, it will be addressed by Reclamation and attached to this justification.

11. Actions Taken to Remove Barriers to Competition.

No prior award was accomplished by full or open competition. Future competition for this work is not anticipated because the County Sheriff is the only law enforcement agency legally capable of providing the requested services.