

APPENDIX B: JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION TEMPLATE

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION

(Cite authority, e.g., 10 U.S.C. 3204(a)(7) or 41 U.S.C. 3304(a)(7))

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11¹), and in accordance with the requirements of RFO 6.104, the justification for the use of the statutory authority under RFO 6.103 is justified by the following facts and rationale required under RFO 6.104-1 as follows:

1. Agency and Contracting Activity.

The Department of Homeland Security, Federal Law Enforcement Training Centers (FLETC), Cheltenham, Maryland, Procurement Division proposes to enter a contract on a basis other than full and open competition.

2. Nature and/or Description of the Action being Approved.

The FLETC has a continuing need for Washington Metropolitan Area Transit Authority (WMATA) SmartBenefits transit subsidies (SmarTrip cards). FLETC employees utilize the SmarTrip Cards for daily commuting. The SmarTrip cards are rechargeable and used to provide and manage the employees' transit benefits. The cards are issued and managed by WMATA. The estimated five-year contract value is [REDACTED]

(a) Nature of action FLETC.

FLETC intends to procure Smart Trip cards from the Washington Metropolitan Area Transit Authority (WMATA).

(b) Name and address of the contractor.

Washington Metropolitan Area Transit Authority
H ST SW
Washington, District of Columbia
20024-2511, United States

(c) Contract type.

Firm Fixed Price.

(d) Estimated total value.

[REDACTED]

(e) Type of funding.

Operations and Support funds.

(f) Year of funding.

FY2027

(g) Solicitation number.

N/A

(h) Background information about the requirement.

See sections 3 and 6 below.

3. Description of Supplies/Services.

The FLETC has a continuing need for Washington Metropolitan Area Transit Authority (WMATA) SmartBenefits transit subsidies (SmarTrip cards). FLETC employees utilize the SmarTrip Cards for daily commuting. The SmarTrip cards are rechargeable and used to provide and manage the employees' transit benefits. The cards are issued and managed by WMATA. The estimated five-year contract value is [REDACTED]

4. Identification of Statutory Authority Permitting Other Than Full and Open Competition.

The statutory authority permitting other than full and open competition is 41U.S.C. 3304(a)(1) implemented by the RFO Subpart 6.103-1 entitled "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

5. Identification of Exception to the Buy American Statute.

N/A.

6. Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

WMATA manages the only transit system in the Greater Washington, D.C. area. There are no other sources that can provide access to the Metrorail or Metrobus system. Additionally, there are no other sources that offer an ability to manage funding for multiple modes of transportation through a single interface for the Washington Metropolitan Transit Authority.

The WMATA SmartBenefits Program is an efficient web based system that allows employers to assign transit subsidy funds directly to the employees SmarTrip cards, which eliminates the need to distribute paper vouchers. WMATA is the sole provider of the transit fare subsidy self-service portal.

(a) Rationale for using the authority cited in section 4 of the J&A

The Contracting Officer has determined that only one source is reasonably available. Only WMATA can provide the WMATA transit subsidy card and payment system. There is only one source available to meet this WMATA smart benefits transit subsidies.

7. Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as is Practicable.

WMATA can provide the WMATA transit subsidy card and payment system. There is only one source available to meet this WMATA smart benefits transit subsidies.

8. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable.

The Contracting Officer determines that the anticipated price is fair and reasonable based on the acquisition history of previously purchased Smart Trip Cards and current commercial pricelists.

9. Description of Market Research.

Market research conducted during the Fiscal year determined that there is only one company capable of providing Smart Trip benefits to FLETC. WMATA is the only source available to provide and meet the requirements of FLETC.

10. Any Other Facts Supporting the Use of Other Than Full and Open Competition.

None.

11. A Listing of the Sources, if Any That Expressed, in Writing, an Interest in the Acquisition.

N/A

12. A Statement of the Actions, if Any, the Agency May Take to Remove or Overcome Any Barriers to Competition Before Any Subsequent Acquisition for Supplies or Services Required.

At present, there are no known alternatives to this limited source acquisition.

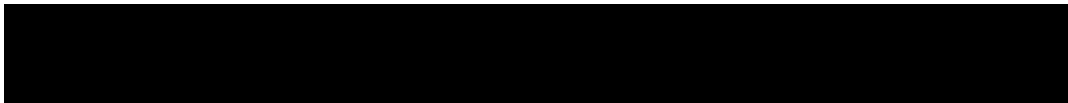
13. Contracting Officer's Certification. I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.



Contracting Officer

Date

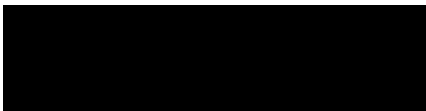
14. Technical/Requirements Personnel Certification. I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.



Technical Representative

Date

APPROVAL:



Contracting Officer

Date