Reference DOSAR 606.303-2

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)

I recommend that Embassy Pretoria, South Africa use other than full and open competition for the acquisition of accommodation services for VVIP visit to be awarded to Da Vinci, 2 Maude Street, Johannesburg

1. The estimated cost is $1,110,980 (determined using the ROE of $1.00 = R9.5)

2. Nature and/or description of the action being approved.
Senior High Level USG Principal traveling with a delegation inclusive of support elements in: Security, Communications, Logistics and Operations.

3. A description of the supplies or services required to meet the agency's needs.

An estimated of 2490 lodging room nights designed for single/double occupancy and other spaces during Dec. 06, 2013 – Jan. 20, 2014.

4. An identification of the statutory authority permitting other than full and open competition.

   41 USC 253(c)(2), FAR 6.302-2, Unusual and compelling urgency.

   Security concerns prohibit sufficient advanced notification of VIP travel to allow for sufficient time to conduct full and open competition. The Department of State can only communicate with the staff at Posts abroad when authorization is given due to security concerns. They have an extremely short turnaround time when authorization has been granted for negotiations to commence and site selections to be finalized with both the local vendors and Posts before the actual Senior High Level USG VIP visit occurs. Security and logistical teams make determinations during the site survey as to which hotels are most suitable for the Senior High Level USG VIP and his traveling staff to remain overnight. Consideration of the Senior High Level USG Principal and the location are taken into consideration as a determining factor.

   The types of events, meetings, locations and availability of venues to support the Senior High Level USG VIP and the delegation are often times designated by the host countries.

   Unique requirements for communications support are under severe time limitations and always a determining factor in the selection process as its' capacity to be augmented to the unique requirements necessary to support certain Senior High Level USG Principals.

Many of the arrangements for hotel and transportation are often not confirmed until just before the actual visit. In addition, to supporting a large delegation within a short time frame, last minute and frequent changes of itineraries for supporting personnel often result in significant changes in how Posts work with the vendors. With the exception of few trips, contracts are not permitted to be signed until the Department of State (Post) has written confirmation from all supporting agencies, which enables collection of funds from said agencies in the event of cancellation. This results in an unusual and compelling urgency in accordance with 41 U.S.C. 253 (c) (2), FAR 6.302-2

These unique Senior High Level USG VIP travel requirements result in only a very limited number of responsible sources with no other supplies or services capable of satisfying agency requirement in accordance with 41 U.S.C. 253 (c) (2), Far 6.302-2.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for unusual and compelling urgency where more than one offer will not be solicited).

Security and logistics are the Department of State's primary consideration when procuring hotel rooms. The Department of State must be able to provide a safe and secure environment for VIP visitors. Frequently VIP visits are not announced or confirmed in sufficient time to conduct competition, creating an urgent and compelling need. In other cases, the security requirements and/or requirements of the host country government limit the acquisition to one or a small number of predetermined hotels.

[X] The VIP visit information was not available in sufficient time thereby creating an urgent and compelling need.

[ ] The host country government requires the use of this/these hotel(s).

[X] The proposed contractor has the following unique qualifications which meet the Department of State's security and logistical requirements.

[ ] Set-back (hotel is safe distance from the street)

[X] Location (able to secure building, travel route; distance to and from event)

[X] Size and number of rooms (able to house everyone in one hotel)

[X] Conference facilities (adequate space for meetings, press conferences)

[X] Communications (able to install equipment/lines, command center)

[X] Accommodating to security needs

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies (e.g., blanket waiver provided in DOSAR 605.202-70).

Due to urgency and exception in FAR 25.401(a)(5) this solicitation cannot be posted but the JOFOC will be published in FedBizOpps.

The following hotels were reviewed and found to be adequate

Radisson Blu Gautrain, Johannesburg

Radisson Blu Sandton, Johannesburg

Holiday Inn, Johannesburg

Park Inn, Johannesburg

Michaelangelo, Johannesburg

Da Vinci, Johannesburg

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

Memo on file.

The hotels identified were selected using criteria including but not limited to:

- Proximity to US Mission facilities
- RSO approval of accommodation facilities as being suitable for US Government visitors
- Vendor capacity (number and quality of available facilities) to support a large visit that meets VIP visitor expectations and standards.
- Prior operations experience in supporting large VVIP visits; and
- Their acceptance of the USG required terms and conditions.

The standard per diem hotel rate has historically been above $200 and peaked at $612 during the 2010 World Cup events. As such the Contracting Officer believes that the anticipated cost is fair and reasonable.

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

The market survey was limited because of the urgent nature of a POTUS event. However, we recently conducted market survey for a VVIP South Africa event. Recent proposals received for the VVIP event in response to the accommodation solicitation in 2011/2012 were analyzed for pricing, location, terms and conditions, amenities and other relevant factors, although a contract was not awarded at that time. With the available information, accommodation venues in Gauteng province were reviewed and it was decided that the best location for hotel space was in Sandton in Johannesburg. There were many hotels that met RSO requirements, were proximate to the US Consulate General Johannesburg, had suitable reputations and amenities, were used by the Embassy before, and had satisfactorily demonstrated ability to meet USG needs on standards of performance. On the basis of this review, specific hotels were chosen in the Sandton/Rosebank area of Johannesburg.

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

Other elements in support of using other than full and open competition include:

- Proximity to US Mission facilities
- RSO approval of accommodation facilities as being suitable for US Government visitors
- Vendor capacity (number and quality of available facilities) to support a large visit that meets VVIP visitor expectations and standards.
- Prior operations experience in supporting large VVIP visits; and
- Previous attempts to contract for this service and market surveys completed.

10. A listing of sources, if any, that expressed, in writing, an interest in the acquisition.
We utilized the listing of resources and actions performed for the recently approved VIP contract. There were 90 parties that asked for the 2011/2012 solicitation package. We received 19 responses from entities such as Southern Sun, City Lodge, Inchape, Lynnlux Logistics (for all four sites across South Africa), Court Classique, Villas, Sheraton, Premier (for Pretoria), Afrique Boutique Hotel, Hilton, Premier, Fairway, Park Inn, Bamaka (for Johannesburg). Subsequently, in 2012/2013 in preparation for this contingency planning, the venues that were approached were solely in Johannesburg because that is where we expect accommodation to be available for events in the Gauteng province, and include Radisson Blu, Sandton; Radisson Blu Gautrain, Sandton; Da Vinci, Sandton; Holiday Inn, Rosebank; Michaelangelo, Sandton; Park Inn, Sandton.

11. 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.

Under routine conditions, the Embassy will compete these services in conformity with FAR/DOSAR requirements.

CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

12/12/13
Date

Michael Dobbs
Acting Director

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

12 Dec-2013
Date

R.M. Srivastava
Ravindra M. Srivastava
Contracting Officer

APPROVALS

Contracting Activity Competition Advocate
(Required for actions exceeding $500,000 but not exceeding $10,000,000)

APPROVED BY:

12/13/13
Date

Cherie Jackson
Management Counselor, U.S. Embassy, Pretoria
Competition Advocate for Contracting Activity