SINGLE SOURCE JUSTIFICATION FOR REAL PROPERTY TEMPLATE

1. Title of Procurement

Insert a brief title describing the requirement. Include the procurement request number, solicitation or contract number, if applicable.

1. Service Organization and Points of Contact

State the title of the requiring organization(s) and name, email, and phone number of the responsible program official. State the name, email, and phone number for the Aviation Property Management (APM) Portfolio Manager and Project Manager, as applicable.

1. Nature of Procurement Action

Select the nature of the procurement action from the choices below. If an urgent requirement, also state the date by which the procurement action must be awarded.

New Contract Award, where there is no pre‐existing contract at the proposed location (includes new space procurement in an existing facility)

Modification of Existing Contract, where there is a preexisting contract, and the scope and/or location of the contract is modified

Contract Extension, where there is a non‐expired, preexisting contract at the same location

Succeeding Lease, where there is an expired, preexisting contract at the same location (See Note 1, below, for further instruction.)

Required by: Click or tap to enter a date.

1. Total Estimated Value

State the total estimated value, including any options.

1. Description of Real Property Requirement

Describe the requirement for real property to be acquired and any unique requirements. If the requirement will result in a modification of an existing real property contract, distinguish clearly between existing real property rights covered by the basic contract and the rights to be obtained by the proposed modification. Discuss any relevant background, history, events, or other special circumstances related to the requirement. Include the following at a minimum:

* Intended use
* Amount of space/land needed
* Delineated area
* Estimated length of need, if appropriate, internal discussions regarding purchase of real property interest
* Time factors (not related to poor procurement planning)
* Opportunities (or lack thereof) for collocation
* Special requirements
* Other special requirements

1. Authority

Authority for single source procurement is provided by AMS policy section 3.2.2.4. Cite any other authority if applicable, such as an international agreement.

1. Rationale Supporting Use of a Single Source

Explain why it is in the FAA’s best interest not to compete the action as evidenced by the data collected from the market. Research must be (1) requirement specific; and (2) tailored to the cited rationale below.

Cite Rationale –

Only one available Lessor/Grantor/Seller/Contractor

Cost/benefit analysis (See Note 1, below, for further instruction.)

Note 1: *If the purpose of this document is to extend a pre‐existing lease or to award a succeeding lease (“staying in place”), a thorough market analysis of potential lessors, including the incumbent, must be included in the rationale. The market analysis must include communications regarding the specific requirement (e.g. Sources Sought Notice, Request for Information), including all updated safety and health requirements.*

*If the current property does not meet existing health and safety requirements, discuss either (1) plans to bring the current property into compliance; or (2) consideration given for non‐compliance. The justification must include programmatic approval.*

*If the RECO performs a cost‐benefit analysis, and cites “moving costs” as a reason to stay‐in‐place, then the RECO must discuss the option of amortization of moving costs with other potential sources. All communications must be documented.*

Address other factors as applicable, such as the following:

* Impact. Fully describe any impact to the mission of the requiring organization if the single source for real property could not be provided. Explain why the impact cannot be tolerated. Give factual examples about the nature, likelihood, and severity of impact. Include cost estimates and other factual data about the impact, as appropriate.
* Specialized Expertise/Ability/Features. Explain why a particular expertise, ability, or property feature is critical. Discuss why the single source contractor is the only source that has the specialized expertise/ability/feature. Explain why other contractors do not have the required expertise/ability/feature. Describe the impact of not using the single source in terms of feasibility, time, and cost of another contractor obtaining sufficient expertise/abilities/features.
* Succeeding Contracts.If the proposed procurement is for a succeeding lease, discuss any duplication of cost not expected to be recovered through competition or unacceptable delays in fulfilling requirements. Include data to support conclusions such as an estimates of costs that would be duplicated or length of delays for transition to another property, and basis for the estimates.
* Interim/Bridge Contracts. If the requirement is for an interim/bridge contract or contract extension because of urgent or unusual circumstances, include a complete explanation for extended period of performance. Discuss why it would be neither cost effective nor realistic for another contractor to perform during the interim/bridge period. Explain issues such as transition plans, startup costs, staffing and recruitment, transfer of property and equipment, retooling, build out and construction timing, and learning curves for the complexity and variety of requirements. Provide factual examples of transition issues, estimated times, and estimated duplication of costs if a different contractor were awarded an interim/bridge contract.
* External Mandate. If the requirement was mandated externally, discuss who imposed the requirement, how it was communicated, authority to direct the procurement action, and why single source is the best means of satisfying the mandated requirement. Attach a copy of any relevant documentation describing the external mandate.
* Time Constraints. If time is a key factor, identify when the requirement first became known, explain the significance of meeting the time constraint, and criticality of time to the organization's mission. Define quantitatively the impact of not meeting the time constraint, and why there is insufficient time to conduct a competitive procurement. Discuss cost and time to conduct a competitive procurement, transition time from one contractor to another, and whether it could be done within the time limitations.

1. Market Analysis.

* Describe in detail the market research conducted to identify other qualified sources. If market research was not conducted, explain the circumstances.
* Discuss sources of market data, level of analysis, and conclusions drawn about any other contractor’s capabilities or availability of other property.
* State whether a Sources Sought/Request for Information (RFI) was issued, when, and for how long the announcement was open. Include a listing of contractors that expressed written interest in the public announcement
* Describe criteria used to evaluate contractors responding to the public announcement, reasons for rejecting each contractor, person evaluating the responses and when. If no contractors responded to the public announcement, include a statement to that effect.
* If a prior market survey is used, discuss when the prior survey was conducted, the results, and why the information is still current and relevant.
* Discuss evaluation of data from any internal market research conducted.

1. Other Facts Supporting Use of Single Source

Discuss any other factors supporting use of a single source.

Include a statement about future actions to be taken, or not to be taken (e.g., no future similar requirements are anticipated), to identify alternate or additional vendors for the same or similar requirements.

ENDORSEMENT

I certify that the supporting data under my cognizance that are included in this justification are accurate and complete to the best of my knowledge and belief.

*I further certify that I will be involved in Screening Information Request (SIR) activities pertaining to this procurement. I will have knowledge of and access to confidential and proprietary procurement information and data concerning the selection process such as, procurement strategy, the offeror’s proposal, results of evaluations, and the final selection actions. I will not disclose any information of a commercially sensitive or source selection sensitive nature, which is obtained by virtue of participation on the procurement team. Further I will ensure that such information is not used by other persons, companies or organizations to obtain an unfair advantage. I further certify that I have not requested any proposal information as identified in AMS Guidance T3.1.8A.2(1), communicated any source selection information as identified in AMS Guidance T3.1.8A.2(2), nor communicated an intent to execute a single source contract from or to only the source identified in section 7 prior to the full execution of this single-source justification.*

Note: The language below is to be part of the endorsement only in cases of emergency procurements per AMS Policy 3.2.2.4.1.1.

*Because of the emergency nature of the procurement as stated herein (which involves a threat to loss of life or property, national security, or restoration of an air traffic control facility or to repair critical facility systems to prevent loss of air traffic capability), it was determined that immediate contracting with a single source was required, and that it was necessary to verbally authorize the contractor to start work once the funds were committed and then combine single source phases or complete single source activities after the fact per AMS Policy 3.2.2.4.1.1.*

CONFLICT OF INTEREST

*As a member of the procurement team, I hereby agree to abide by the FAA Acquisition Management System; the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. pt. 2635; federal criminal law regarding bribery, graft, and conflicts of interest, 18 U.S.C. §§ 201-209, 216; and the Procurement Integrity Act, 41 U.S.C. §§ 2101-2107. Further, as a participant in the procurement selection activities, I hereby certify to the following:*

1. *I have not been employed by the source identified in Section 7 above nor any of its subsidiaries. In addition, neither I, my spouse, or any of my dependent children, or other blood relatives who are residents of my household (hereinafter “I”), now own any bonds, stocks, or stock options, or have any other financial interest, including but not limited to current or future employment or contract rights, in or with respect to the aforementioned Source. I do not have any financial commitments to the source. I am not currently serving as an officer, director, trustee, general partner or employee of the Source.*
2. *Neither I, nor to the best of my knowledge and belief, my spouse or any of my minor children have any intention or expectation of obtaining employment with, contracting with, or acquiring stocks, stock options, or bonds in or with respect to the Source for this requirement.*

*I understand that failure to comply with the above will result in termination of my participation in this procurement and may result in disciplinary action and/or referral for civil or criminal action.*

Service Organization Official (Aviation Property Management) Approval

|  |  |
| --- | --- |
| Name: |  |
| Signature: |  |
| Organization: |  |
| Date: |  |

Requiring Organization/Contracting Officer’s Representative (COR) Approval

|  |  |
| --- | --- |
| Name: |  |
| Signature: |  |
| Organization: |  |
| Date: |  |

Real Estate Contracting Officer Concurrence

|  |  |
| --- | --- |
| Name: |  |
| Signature: |  |
| Organization: |  |
| Date: |  |

AAQ Branch Manager Concurrence

|  |  |
| --- | --- |
| Name: |  |
| Signature: |  |
| Organization: |  |
| Date: |  |

Legal Sufficiency\*

|  |  |
| --- | --- |
| Name: |  |
| Signature: |  |
| Organization: |  |
| Date: |  |

\*In accordance with AMS Guidance T1.15, Legal coordination is not required in the event of an emergency as covered in AMS 3.2.2.4.1.1, Emergencies.