

U.S. DEPARTMENT OF JUSTICE  
UNICOR, FEDERAL PRISON INDUSTRIES, INC.

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

AUTHORITY CITED: 41 U.S.C. §253c(2)  
FAR 6.302-2 UNUSUAL AND COMPELLING URGENCY

1. IDENTIFICATION OF THE AGENCY AND CONTRACTING ACTIVITY:

U.S. DEPARTMENT OF JUSTICE  
UNICOR, FEDERAL PRISON INDUSTRIES, INC.  
P.O. BOX 1000, HWY. 66 WEST  
EL RENO, OK 73036

2. NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED:

UNICOR, El Reno requires the approval to procure, under the provisions of unusual and compelling urgency; the services required for the activation of FCI, Aliceville.

3. A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY NEEDS (INCLUDING THE ESTIMATED DOLLAR AMOUNT):

The description of supplies and/or services is included as an attachment in the Statement of Work, with an estimated dollar value of \$432,091.26

4. AN IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION:

41 U.S.C. §253c(2)  
FAR 6.302-2 UNUSUAL AND COMPELLING URGENCY

5. A DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES THE USE OF THE AUTHORITY CITED:

In order to complete the customer project on time, it is necessary to begin the procurement process immediately. There is currently no contract in place for installation services and the customer requires that this project begin May 1, 2012 and be completed within two (2) months. Product for this project is ready to ship out of

five (5) factories at this time. Further delay will create an inability for the customer to complete its mission.

6. A DESCRIPTION OF THE EFFORTS MADE TO ENSURE THAT OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE:

UNICOR is soliciting a national contract for this type contract to cover future requirements. (MT857-11 which closes May 7, 2012.)

7. A DETERMINATION BY THE CONTRACTING OFFICER THAT ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE:

Prices will be compared to past procurement historical data and quotes received from RFP's to determine fair and reasonableness IAW FAR 15.305.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED (SEE FAR 7.101) AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONSIDERED:

Due to time constraints of urgent and compelling nature, a minimal market survey was conducted. A market survey was conducted on the competition done on several purchase orders made for similar items in the last few months were done.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION:

Without the immediate processing of this requirement, UNICOR, El Reno, will not be able to meet the deadlines for completion of FCI Aliceville. Considering the current status of the UNICOR metal factories, we cannot afford to jeopardize deliveries becoming delinquent.

10. A STATEMENT OF THE ACTIONS, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION: N/A

11. A STATEMENT OF 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:

UNICOR, El Reno, understands the market at this time. Solicitation MT857-11 closes May 7, 2012 for these services. Multiple awards will be made. Due to the technical evaluation, we do not expect the contracts to be awarded until 45-60 days after the solicitation closes.

12. CONTRACTING OFFICER CERTIFICATION THAT THE JUSTIFICATION IS ACCURATE AND COMPLETE TO THE BEST OF THE CONTRACTING OFFICER'S KNOWLEDGE AND BELIEF:

As Contracting Officer, I certify that justification is accurate and complete to the best of my knowledge and belief.

Per PS 8530.03, 6.304(a)(3), the below signatures are required:

\_\_\_\_\_  
Kirk Kennedy, Contracting Specialist

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mike Bailey, AW (I)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mike Washko Program Manager  
For Germano, Tavares, GM

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tina Martinez, FIPG CO

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lisabeth Day, Procurement Chief

\_\_\_\_\_  
Date