

Limited-Sources Justification (LSJ)
For orders or BPAs exceeding the Simplified Acquisition Threshold

LSJ No.:

This acquisition is conducted under the authority of the Multiple-Award Schedule Program, 41 U.S.C. 152(3), Competitive Procedures, and 40 U.S.C. 501, Services for Executive Agencies.

1. Agency and Contracting Activity. Identification of the agency, contracting activity, and specific identification of the document as a “Limited-Sources Justification.”

The Department of Homeland Security (DHS), Customs and Border Protection (CBP), Border Enforcement Contracting Division (BECD) proposes to award an order pursuant to FAR 8.405-6(a), Limiting Sources.

2. Nature and/or description of the action being approved. Describe the action being approved, and include the name and address of the proposed contractor(s).

DHS/CBP/BECD intends to limit the number of sources solicited pursuant to FAR Part 8.405-6(a) for the procurement of temporary soft-sided facilities in Donna, TX and El Paso, TX to support the additional capacity needed to accommodate the family units and unaccompanied alien children (UAC) arriving at the southwest border to Deployed Resources, 1729 N George St., Rome, NY, 13440-2719.

3. Description of Supplies/Services. Describe the supplies or services to be acquired. Provide the estimated total value (including options, if any).

The requirement is to provide temporary (8 months) soft-sided facilities to be located in Donna, TX and El Paso, TX to provide CBP with additional capacity to accommodate family units and UAC arriving in surging numbers to the southwest border. Short term shelters are required to accommodate in and out processing, medical and humanitarian aid while other solutions are developed. There will be kitchen equipment, shower trailers, laundry trailers and chemical toilets with sinks and conex boxes for detainee property storage included. The service will also include an office space, interior and perimeter CCTV, gun lockers, security, power and HVAC services. The equipment and services identified above are included in the estimated total.

<u>Period</u>	<u>Total</u>
Base Period (May-August)	\$19,212,800.00
Option Period 1 (September)	\$ 4,503,200.00
Option Period 2 (October)	\$ 4,503,200.00
Option Period 3 (November)	\$ 4,503,200.00
Option Period 4 (December)	<u>\$ 4,503,200.00</u>
Total	\$37,225,600.00

Limited-Sources Justification (LSJ)
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4. Authority and supporting rationale.

Select one of the circumstances justifying limiting sources pursuant to FAR 8.405-6(a)(1)(i) below and demonstrate the proposed contractor's unique qualifications to provide the required supply or service.

8.405-6(a)(1)(i)(A) An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

This acquisition is being conducted under the authority of the Multiple-Award Schedule Program, 41 U.S.C. 152(3), in accordance with FAR 8.405-6(a) and FAR 8405-6(c), Limiting Sources. The need to assist the migrant crisis on the Southwest Border is crucial to CBP operations. Below you will see the increase of individuals compared to FY18.

	RGV			EL PASO	
	TOTAL APRIL	YEAR TO DATE	RGV CPC CAPACITY	TOTAL APRIL	YEAR TO DATE
2018	3,405	69,758	1,500	723	11,698
2019	8,928	145,608	1,500	5853	77,068
Total Increase	162%	109%		710%	559%

The apprehension rate has increased for the month of April by 162% for RGV/Donna compared to the sametime last year and 710% for El Paso.

The chart below will show the number of people apprehended for Fiscal Year (FY) 2019 by classification.

	RGV-FY 2019	EL PASO-FY2019	
MEXICAN ADULTS	13,152	4,160	
MEXICAN JUVENILE	1,608	435	
OTHER THAN MEXICAN-ADULTS	71,815	34,549	
OTHER THAN MEXICAN-JUVENILE	59,033	37,924	
UAC	16,211	8,097	

Limited-Sources Justification (LSJ)
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FAMILY ADULTS	40,159	28,068	
FAMILY JUVENILE	44,428	30,257	

The soft-sided structures are needed to accommodate the surge of migrants at these two locations. As we can see the amount of family and UAC for each location is as follows:

	RGV-FY 2019	EL PASO-FY2019
UAC	16,211	8,097
FAMILY UNITS	84,587	58,325
OTHER THAN MEXICAN-JUVENILE	59,033	37,924
TOTAL	159,831	104,346

It is necessary to limit competition for new work described herein because the facilities need to be established by April 30, 2019 . As we can see that the number of migrants coming into the US are increasing by a large percentage. The Sectors are over capacity and some relieve to be able to process the migrants and provide humanitarian aid. These facilities will provide temporary housing, meals, showers, clean clothing and medical area for the family units and UAC’s. Deployed Resources has worked with CBP in the past and they have the experience and expertise readily available. Deployed Resources has the knowledge and resources to meet our target date. If the Government was to compete the services, it would delay the ability to provide the humanitarian and medical aid to the migrants that can lead to some death.

5. Determination by the ordering activity contracting officer that the anticipated order represents the best value consistent with FAR 8.404(d).

Customs and Border Protection (CBP) has determined that issuing the proposed Task Order to Deployed Resources for the temporary soft-sided facilities represents the best value and will result in the lowest overall cost, considering price and administrative costs, to meet the Government’s urgent and compelling needs. This order will be placed in accordance with FAR 8.404, “Use of Federal Supply Schedules.” The General Services Administration (GSA) has already negotiated fair and reasonable pricing rates. Discounts to these GSA schedule rates will be requested. Additionally, prior to issuance of the task order, the ordering activity will consider the level of effort and the mix of labor proposed to perform the specific task being ordered in order to determine that the total price is reasonable. The contractor’s labor mix and level of effort will also be compared to the Independent Government Cost Estimate (IGCE).

Limited-Sources Justification (LSJ)
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6. A description of the market research conducted among schedule holders and the results, or a statement of the reason market research was not conducted.

While market research identified several firms that provide similar services, due to the extreme circumstances stemming from the humanitarian crises, there is not sufficient time for firms to conduct site surveys and to conduct a competition.

7. Any other facts supporting the limited-sources justification. Additional facts may be stated in this section. If there are no additional facts, you must state that here.

Deployed Resources has historical experience with CBP set-up two temporary soft-sided facilities for BECD in 2016. Having the past performance experience with the Government's needs allows the vendor to have a quick turn around with minimal or no issues.

8. A statement of actions, if any, the agency may take to remove or overcome any barriers that led to restricted consideration (i.e., limited-sources) before any subsequent acquisition for the supplies or services is made. Include a statement of actions taken or that will be taken to increase competition for future acquisitions of the same item/service (e.g., the government intends to revise overly restrictive technical specifications, acquire data rights, or pursue some other means to increase future competition).

The government intends to have potential sites identified for future temporary soft-sided facilities in case there is another surge of migrants that will need housing. This will allow the Government to seek competition in future acquisitions for the same type of support, thus eliminating the barriers to competition.

9. DHS intends to post this requirement on Fedbizopps pursuant to FAR 8.405-6(a)(2)(i).

10. Technical/Requirements Personnel Certification.

Pursuant to FAR 8.405-6(c)(2)(x), I certify that this requirement meets the Government's minimum need and that the supporting data, which form a basis for the Limited-Sources Justification, are accurate and complete.

**ROBERT J
GILLIS**

Digitally signed by ROBERT J GILLIS
DN: c=US, o=U.S. Government, ou=Department
of Homeland Security, ou=CBP, ou=People,
cn=ROBERT J GILLIS,
0.9.2342.19200300.100.1.1=0743363383.CBP.1
Date: 2019.04.11 15:10:13 -0700

Technical Representative/COR

4/11/2019

Date

11. Contracting Officer Certification and/or Approval *

Limited-Sources Justification (LSJ)
For orders or BPAs exceeding the Simplified Acquisition Threshold

Pursuant to FAR 8.405-6(c)(2)(ix), I certify that the Limited-Sources Justification is accurate and complete to the best of my knowledge and belief:

Contracting Officer 4/11/2019
Date

*Note: In accordance with FAR 8.405-6(d)(1) for BPAs with an estimated value exceeding the simplified acquisition threshold, but not exceeding \$700,000, the ordering activity contracting officer's certification that the justification is accurate and complete to the best of the ordering activity contracting officer's knowledge and belief will serve as approval.

12. Approval.

Over \$700,000 but not exceeding \$13.5 million Date
Procuring Activity Advocate for Competition

Over \$13.5 million but not exceeding \$68 million Date
Head of Contracting Activity

Over \$68 million Date
Chief Procurement Officer

Note:
Each Limited-Sources Justification must be reviewed and approved by lower level approval(s). For example, actions over \$68 million requiring OCPO approval must be reviewed, approved, and signed by the contracting officer, Component Competition Advocate, and HCA.