*(1) Identification of the agency and the contracting activity:*

**Agency**

U.S. Environmental Protection Agency (EPA)

Office of Ground Water and Drinking Water

Standards and Risk Management Division (SRMD)

1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

**Contracting Activity**

Office of Acquisition Solutions Cincinnati Acquisition Division (CAD)

26 West Martin Luther King Drive, Mail Code W136

Cincinnati, OH 45268-0001

*(2) Nature and/or description of the action:*

This is a sole source action to extend existing contract EP-C-12-023 with the Cadmus Group, which currently ends May 31, 2020. EPA requires the extension of the contract entitled, “Technical and Administrative Support for the U.S. Environmental Protection Agency’s National Drinking Water Program” for the three and a half-month period, June 1, 2020 through September 25, 2020. Specifically, without exercise of this option period, work would be forced to stop following the Contract’s 5/31/2020 expiration date. The follow-on support contract, is in process of being awarded. However, because the ordering mechanism is switching from a contract with Work Assignments to a Task Order type contract, most of the Task Orders will not be awarded until middle of September 2020 to allow for uninterrupted service. The Cadmus Group is the only responsible source able to perform the three and a half-month effort due to its combination of expertise, knowledge, and familiarity with the ongoing projects required to meet EPA’s critical deadlines during the three and a half month period.

*(3) Description of the supplies or services required to meet the agency’s needs (including the estimated value):*

Under this contract, the contractor provides services technical and analytical support services to the Office of Ground Water and Drinking Water (OGWDW) including support for contaminant occurrence, cost/ benefit, economic, financial, and regulatory analyses, along with characterization of potential limitations of those analyses. The contractor also provides technical and analytical support for environmental and analytical chemistry, primary and secondary environmental data collection, statistics, engineering, hydrology, hydrogeology, public health and risk assessment, system analysis, cost and benefit assessments, database management, Geographical Information Systems (GIS), and microbiology relating to the requirements of the Safe Drinking Water Act (SDWA) Amendments. In addition, the contractor provides support for development of standards, criteria, and program mandates being considered by the Agency relative to the requirements of the SDWA Amendments and other statutes (such as Small Business Regulatory Enforcement Fairness Act (SBREFA) and Unfunded Mandates Reform Act (UMRA) already in place. The three and a half- month extension is estimated at $XXX.00 based on XXX Level of Effort (LOE) Hours from June 1, 2020 – September 25, 2020.

*(4) An identification of the statutory authority permitting other than full and open competition:*

The authority for this action is 41 U.S.C. 3304(a)(1), FAR cite 6.302-1 “Only One Responsible Source”

*(5) A demonstration that the proposed contractor’s unique qualifications or the nature of the acquisition requires use of the authority cited.*

This contract was originally procured using full and open competition procedures. This firm has satisfactorily performed the services for the past six years. The support services performed under this contract are critical to EPA’s mission and any delays or interruptions would be unacceptable and damaging to the U.S. SRMD’s responsibilities under the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA) by ensuring public water systems nationwide meet national standards, the public’s exposure to contaminants in drinking water is reduced, and public health is protected. The Act requires EPA to identify drinking water contaminant candidates and to gather information on these contaminants to assess whether they require regulation. The Act also requires EPA to regulate contaminants that present health risks that are known to, or are likely to, occur in public drinking water supplies and that present a meaningful opportunity for health risk reduction. EPA is also required to review

existing regulations every six years and revise as appropriate. Work performed spans a multitude of diverse topics with 3 work assignments under the proposed period. Work Assignment 9-08 covers the development of unit cost values and technical support documents for the Lead and Copper Rule (LCR) Revisions. This project is the top regulatory priority for the Office of Water and the signature date for the rule is scheduled for September 4, 2020. The Cadmus work on this project is critical to the completion of the economic analysis of the final LCR rule requirements. The contractor is currently in the process of revising a number of the unit costs values including the cost of lead service line replacements and the number of PWSs triggering into regulatory requirement as a result of changing tap sampling requirements in the regulation. As the Agency completes the documentation of the analysis and move into OMB EO 12866 review of the regulatory analysis it will be important to have the Cadmus team of engineers ready to assist EPA in responding to OMB comments and any re-analysis of the regulatory requirements that may result from interactions with OMB. Work Assignment 9-05 covers the development and implementation of the Unregulated Contaminant Monitoring Rule (UCMR). This project is a top priority for the Office of Water bas it fulfills a key commitment in “EPA’s 2019 Per- and Polyfluoroalkyl Substances (PFAS) Action Plan,” and the signature date for the rule is scheduled for September 2020. The Cadmus work on this project is critical to the completion of the economic analysis of the proposed UCMR requirements. The contractor is currently in the process of revising a number of costs values, and preparing for public involvement and implementation once the rule is proposed. Work Assignment 9-32 covers the development of a final rule for the fourth round of Regulatory Determinations which includes making final regulatory determinations for perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA). The Cadmus work on this project is critical to the development of the materials to be submitted to OMB including analysis of contaminant occurrence data; the development and updating of supporting documents and an administrative record; the development of technical input relating to a response to public comment document; and other technical and programmatic support. The Cadmus Group’s combination of knowledge of the program areas, its support staff, and their familiarity with the ongoing projects, places them in the position of being the only possible contractor which can meet EPA’s critical deadlines during the three and a half- month extension to Option Period 9 until September 25, 2020.

*(6) A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by* [*Subpart 5.2*](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/05.htm#P55_9282) *and, if not, which exception under* [*5.202*](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/05.htm#P66_10441) *applies.*

In accordance with Subpart 5.202 exception (a) (11) applies. The proposed contract action is made under the terms of an existing contact that was previously synopsized in sufficient detail to comply with the requirements of 5.207 with respect to the current proposed contract action.

*(7) A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.*

The anticipated cost to the Government is expected to be fair and reasonable because the Contracting Officer Representative (COR) and technical expert staff has knowledge and expertise in this area, and is well aware of the costs to perform these services. The COR has experience with overseeing this contract effort and can assist to insure that any cost proposal accepted by the Government is fair and reasonable.

*(8) A description of the market research conducted (see* [*Part 10*](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/10.htm#TopOfPage)*) and the results or a statement of the reason market research was not conducted.*

As stated in item 6 above, the contract was previously synopsized.

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

N/A

*(10) A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.*

None.

*(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.*

This Justification for Other than Full and Open Competition is for services that are not currently available from another qualified source due to the reasons stated above. The follow-on acquisition is being procured as full and open competition. To overcome barriers to current acquisition for these services, market research was conducted by posting a sources sought synopsis to FedBizOpps and EPA’s Acquisition website on November 6, 2018, for which capability statements were submitted in response to the source sought synopsis. The RFP was issued on September 17, 2019, with a submission date of November 6, 2019. The resultant contract is anticipated to be awarded by May 20, 2020. This 3 and a half month extension to the current contract is a result of the limited time between the end of the predecessor contract and the anticipated date of the new award, in conjunction with the technical expertise needed and the ongoing nature of the work, as well as the potential for delays, duplicative efforts and costs, and negative impacts on a broad array of programmatic efforts in the absence of such an action.

*(12) Contracting officer certification that the justification is accurate and complete to the best of the contracting officer’s knowledge and belief.*

## Technical Officer’s Certification & Concurrence

I certify that the facts and representations stated in this justification are complete and accurate which form the basis to award this requirement.

\_\_//\_SIGNED //\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tracy Schuck

Contract Level Contracting Officer’s Representative (CLCOR)

## Contracting Officer’s Certification

I certify that this justification is accurate and complete to the best of my knowledge and belief.

\_\_\_\_// SIGNED //\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Donna Reinhart

Contracting Officer

***Approving Official***

One Level Above the Contracting Officer

\_\_\_\_\_\_//SIGNED //\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Harold D. Hincks

Chief, Office of Water Branch