SAMPLE

J&A NO. 000-02
10 December 2002

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION

REQUEST TO RESTRICT NETWORK ANALYSIS SCHEDULING SOFTWARE TO BRAND NAMES COMMONLY USED IN FIELD OFFICES UNDER THE COGNIZANCE OF NAVAL FACILITIES ENGINEERING COMMAND (NAVFAC)

1) IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

The agency is the United States Navy. The contracting activity is Naval Facilities Engineering Command (NAVFAC), Washington Navy Yard, Washington, DC.

2) NATURE AND DESCRIPTION OF THE ACTION BEING APPROVED - FAR 6.303-2(a)(2).

Approval is requested to limit construction scheduling software used by construction contractors to Primavera SureTrak and Primavera Project Planner (P3) for construction projects administered by all NAVFAC field offices.

3) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS - FAR 6.303-2(a)(3).

NAVFAC requires that construction contractors submit and maintain a construction progress schedule for every construction project. This requirement is based in FAR 52.236-15, Schedule for Construction Contracts, and further defined in specification sections UFGS 01320N, Construction Progress Documentation, and UFGS 01321N, Network Analysis Schedules (NAS). The progress schedule, to permit essential schedule management, needs to be a computer generated/readable network analysis. There are several Commercial-off-the-Shelf (COTS) software manufacturers in the market (see Attachment 1). NAVFAC personnel surveyed the construction industry regarding predominant standards, tested the operation of many COTS products, and came to the conclusion that Primavera's SureTrak and P3 should be formally adopted across NAVFAC as the standard construction scheduling software. NAVFAC has purchased and distributed SureTrak and P3 scheduling software to all ROICC offices and the software is currently being used. To avoid the cost to train ROICC personnel in numerous COTS scheduling software systems, use of proprietary construction scheduling software is requested for construction contracts. Primavera's scheduling software have features that enable contractors to efficiently schedule construction sequence and allow NAVFAC ROICC personnel to read the contractor's submitted schedule for planning and analysis.

4) AN IDENTIFICATION OF THE STATUTORY AUTHORITY OTHER THAN FULL AND OPEN COMPETITION - FAR 6.303-2(a)(4).

It is requested that other than full and open competition be permitted pursuant to U.S.C. 2304 (c) (2) as implemented by FAR 6.302-1, "6.302-1. Only one responsible source and no other supplies or services will satisfy agency requirements".

5) A DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED - FAR 6-303-2(a)(5).

The Government's use of construction scheduling software is essential to effective administration of construction contracts. Construction scheduling software is complex and requires significant training and use to become proficient. Scheduling software products from different vendors require unique training since they use different commands and function differently. Primavera's SureTrak and P3 scheduling software meet the Government's requirements. The purpose for limiting use of scheduling software platforms to Primavera's SureTrak and P3 is to prevent the Government from spending limited resources for training all field personnel in the use of several different software programs and buying the expensive software from multiple vendors.

Most Network Analysis Scheduling software packages contain the necessary features that enable the contractor to efficiently schedule construction sequence and allow the Government to monitor progress and analyze impacts to contract duration and cost when unpredictable events occur. There are several scheduling software packages on the market. To accomplish good construction administration/management, ROICC personnel would need to become versed in several complex scheduling software programs. Fiscal and personnel resource constrains necessitate standardization on a proprietary scheduling platform.

Currently, UFGS 01321N requires a contractor to provide a copy of the scheduling software used to the Government. This can cause the office to own multiple copies of the same software. Cost for a new site license for P3 is $4,000 and for SureTrak is $499. If we restrict the software to the two mentioned, cost for upgrading a site license for SureTrak is $129; P3 cannot be upgraded. If the ROICC already owns a copy of the software the contractor is proposing to use, construction money can be saved by not purchasing additional copies of the same software but only upgrade the Government's software to the current edition being used by the contractor.

Limiting software training to Primavera software will save Government resources. Because there are several scheduling software packages available, field personnel typically must be re-trained in the software being used by the contractor. Most contracts require two to four ROICC personnel to be trained for 24 hours each. At GS-12, Step 6, burdened rate, this equates to from $1,800 to $3,600 per contract for training. After the training, the ROICC personnel go through a learning curve to become versed in the software's use. While ROICC personnel are away from the office on training, they are

unavailable for other productive work to obtain quality facilities for our clients. The use of Primavera software provides the additional mission-essential functionality of claim avoidance by exposing and rendering clarity to contractor claims posturing and analysis of claims.

6) A DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERORS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE, INCLUDING WHETHER A FEBBIZOPPS NOTICE WAS OR WILL BE PUBLICIZED AS REQUIRED BY SUBPART 5.2 AND, IF NOT WHICH EXCEPTION UNDER 5.202 APPLIES- FAR 6.303-2(a)(6).

Primavera's SureTrak and P3 are established scheduling software systems in the construction industry. In June 1997, representatives of the NAVFAC FOCAS Construction Management Working Group met and selected the two scheduling software systems named. This group estimated that over 75% of the projects handled by ROICC offices within NAVFAC use one of these two software systems and the majority of personnel have received training in each. In addition, the two systems meet UFGS 01320N and 01321N requirements. Accordingly, the Government will realize cost savings by allowing a current copy of the software to be upgraded, rather than being provided another new or duplicate package on new projects. Although the specifications will be restricted to the scheduling software systems identified, the solicitations for the contracts will be synopsized in the Federal Business Opportunities (FedBizOpps) using full and open competition or other established contracting vehicles.

7) A DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE - FAR 6.303-2(a)(7).

It is not anticipated that the Government will incur any additional costs for implementing this change. Though the software brand name will be limited, the software is available from a multitude of software vendors at competing prices including the GSA Schedule. Our approach acknowledges a market dominance that Primavera has established in the larger market of COTS scheduling software. This determination requires contractors to use a prevalent standard that NAVFAC has, in turn, adopted.

8) A DESCRIPTION OF THE MARKET SURVEY CONDUCTED (see 7.101) AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED - FAR 6.303-2(a)(8).

Primavera was contacted for estimates on market share they have in the construction industry. Their response stated that per an Engineering News-Record survey, Primavera's P3 claims 36% of the market for high-end scheduling requirements and Primavera's SureTrak claims 42% of the market for mid-level scheduling requirements. High-end scheduling consists of requirements that exceed the capabilities of most scheduling systems (e.g.: greater accounting control, creating custom reports, global changes, customized data, cost account codes, greater number of activities, specialized add-on

software, etc.). The balance of the construction scheduling market is fragmented among at least ten producers of small to mid-range software products and five producers of high-end software products (see Attachment 1). This market dispersion puts NAVFAC at high risk that any investment or use of these products will not match the construction industry. In addition, investing in these products poses a large risk that the product may be discontinued. Querying the ROICC offices, on the average better than 80% of construction progress schedules are submitted in one of the two Primavera software systems.

9) A LISTING OF THE SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISTION - FAR 6.303-2(a)(10).

See Attachment 1.

10) LIST OF POTENTIAL SOURCES

Primavera SureTrak and P3 can be obtained from many retailers across the United States. For a listing see http://www.primavera.com or call 1-800-423-0245.

11) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISTION FOR THE SUPPLIES OR SERVICES REQUIRED - FAR 6.303-2(a)(11).

N/A.

12) A STATEMENT OF DELIVERY REQUIREMENTS (e.g. include a list of ships and/or shore activities and required delivery dates for each) - NAPS 5206.3-2(a)(i).

N/A.

13) THE TOTAL ESTIMATED DOLLAR VALUE FOR THE ACQUISTION COVERED BY THE JUSTIFICATION BY FISCAL YEAR AND APPROPRIATION - NAPS 5206.3-2(a)(ii).

N/A

14) REFERENCE TO THE APPROVAL AP (when the acquisition(s) covered in the justification meet the criteria/thresholds for a written AP) - NAPS 5206.3-2(a)(iii).

N/A

15) IN THE CASE OF SPARE AND REPAIR PARTS ACQUISTIONS, DOCUMENTATION THAT SUBSTANTIATES THAT A REVIEW OF THE SPECIFICATION WAS CONDUCTED TO ENSURE THAT THE SPECIFICATION REFLECTED THE MINIMUM - NAPS 5206.3-2(a)(iv).

N/A

CERTIFICATIONS AND APPROVALS:

APPROVAL OF THE JUSTIFICATION - FAR 6.304(a)(2)

IDENTIFICATION OF THE CONTRACT SPECIALIST:

12/10/02

(Signature) John H. Teetsov ACI 685-9147 Date

CONTRACTING OFFICER CERTIFICATION (see FAR 6.303-2(a)(12)):

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

Frances L Sullivan 1/17/03

(Signature) Frances L. Sullivan ACI 685-9146 Date
Competition Advocate

Attachment 1

Market Research

High-end scheduling software:

- Primavera "Project Planner (P3)"
- HMS "Open Plan"
- Artemis "ProjectView"
- Microsoft "Project Professional 2002"
- Crest Software (CS) "Project Professional"
- Crest Software (CS) "CS/10,000"
- Construction Management Solutions, Inc. "PS Client"

Mid-Range Scheduling software:

- Primavera "SureTrak"
- Microsoft "Project"
- AlderGraf "Time Sketch"
- AEC "Fast Track"
- MPS "Prolog Scheduler"
- HardHat Software "HardHat Manager"
- Systems Corp "PM Office"
- Virtual Boss Development Co. "VirtualBoss"
- Construction Applications Software, Inc. "The CAPS Suite"
- Construct-It USA "Project Commander"