

U.S. Department of Energy
Office of Science – Consolidated Service Center
JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
FAR PART 6

I. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

Requesting Agency: Office of Scientific and Technical Information

Contracting Activity: Acquisition and Business Services Division

This Justification for Other than Full and Open Competition (JOFOC) sets forth the justification and approval for the use of one of the exceptions to full and open competition by 41 U.S.C. 3304 as promulgated by Federal Acquisition Regulation (FAR) Part 6.302, Other Than Full and Open Competition.

II. NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED

It is the intent of the government to award a new firm-fixed contract to Springer Nature Customer Service Center, LLC, 1 New York PLZ STE 4600, New York, NY 10004-1967.

III. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS

This requirement is to acquire an institutional site license for online access to the Springer Journals, accessed via SpringerLink, and Springer Nature journals. Access is restricted to the Office of Science. This subscription supports the needs of managers and researchers in all of the DOE Office of Science program offices and is available the OSTI.gov website - SC eJournals. This is only for the Office of Science Program Offices, Laboratories and partners and is not publically accessible.

The applicable NAICS Code: 513120 – Periodical Publishers with a size standard of 1,000 employees.

The period of performance consists of a one-year base period (January 1, 2023 - December 31, 2023) and two one-year option periods. The anticipated award amount is shown below.

Base +Option	Springer Journals	Springer Nature Journals	Total
Base Year	\$96,488.41	\$90,258.85	\$186,747.26
Option Year 1	\$101,312.83	\$93,869.21	\$195,182.03
Option Year 2	\$106,378.47	\$97,623.98	\$204,002.44
	Total		\$585,931.73

IV. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

41 U.S.C. 3304(a)(1), as implemented by FAR 6.302-1 Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, authorizes the

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Contracting Officer to use noncompetitive procedures to acquire supplies and services when the supplies or services required by the agency are available from only one responsible source.

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

The Springer Journal Package is made available through SpringerLink. SpringerLink is the world's most comprehensive online collection of scientific, technological and medical journals, books and reference works. It delivers fast, accurate access to over 10 million scientific documents in the world's most complete online collection of Science, Technology and Medicine (STM) and Humanities and Social Sciences (HSS) books, journals, reference works and protocols covering a vast range of disciplines. The Springer Nature online subscription allows access to all 17 Nature journals. These subscriptions allow multiple users online access to the Springer journals. The periodicals and articles provide specialized research information for DOE scientists and researchers. Springer has sole proprietary content in these technical journals and only published and accessible via the SpringerLink online subscription services and there are no other known sources with equivalent capabilities.

Without this renewal, OSTI will no longer have access to the SpringerLink and Springer Nature Journals and will lose the ability to provide timely, up-to-date research in support of their customers.

Accordingly, Springer, is the only firm capable of providing the services described in Section III above without the DOE experiencing substantial duplication of cost that could not be expected to be recovered through competition.

VI. 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 AND, IF NOT, WHICH EXCEPTION UNDER 5.202 APPLIES

A Notice of Intent (NOI) to award a sole-source contract to Springer was published to the Government Point of Entry (Sam.gov) on November 4, 2022, with responses due by November 18, 2022. No responses were received.

Furthermore, this JOFOC will also be posted to the GPE as required by the FAR.

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

In accordance with FAR 15.402(a) the CO will ensure that services are procured at fair and reasonable prices. The CO, in conjunction with qualified subject matter experts, will use comparative analysis to determine the price to be fair and reasonable.

VIII. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED AND THE RESULTS

A Notice of Intent (NOI) to award as a sole source to Springer for this requirement was published to the Government Point of Entry on November 4, 2022, with responses due by November 18, 2022. No responses were received.

OSTI continually monitors the commercial marketplace for publishers that are capable of delivering online access to the required periodicals. At this time there are no other sources available.

Springer Nature Customer Service Center does have a Library of Congress, Federal Library and Information Network (FEDLINK) contract, however the Springer Nature.com Complete Package is not available through that contract, only the Springer Journals. Therefore, the Nature Journals would be required to be purchased separately making the rates higher. A direct sole source award with Springer Nature Customer Service Center will be placed.

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

a. Explanation of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available:

This requirement provides access to the Springer Journals/SpringerLink and Springer Nature journals. Without access to this library of journals, OSTI will lose the ability to provide timely, up-to-date research, thereby hindering the work efforts of DOE managers, researchers, and those that partner with DOE laboratories.

b. When FAR 6.302-1 is cited for follow-on acquisitions as described in 6.302-1(a)(2)(ii), an estimate of the cost to the Government that would be duplicated and how the estimate was derived:

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N/A

- c. When FAR 6.302-2 is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government:**

N/A

X. LISTING OF THE SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

None.

XI. STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITIONS FOR THE SUPPLIES OR SERVICES REQUIRED

OSTI will continually monitor the commercial marketplace for similar or emerging technologies that are capable of delivery this capability.

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CERTIFICATIONS

The supporting data (e.g., verifying the Government’s minimum needs or schedule requirements or other rationale for this other than full and open competition) which for a basis for this justification are certified as accurate and complete.

SIGNATURE

Tonya Chadwell, Acquisition Initiator

Date

This justification is certified accurate and complete to the best of my knowledge and belief.

SIGNATURE

Mary C. Halterman, Contracting Officer

Date

REVIEWS

SIGNATURE

Kelly Dunlap, Senior Program Official (Or Designee)

Date

SIGNATURE

Jamie Ford, OABS Division Chief

Date

APPROVALS

SIGNATURE

CSC Competition Advocate

Date