

LIMITED SOURCES JUSTIFICATION

41 U.S.C. 3102 et seq. and 40 U.S.C. 501

Enforcement and Removals Office (ERO) Support Services

Pursuant to the requirements of 41 U.S.C. 3102 et seq. and 40 U.S.C. 501, Services for Executive Agencies as implemented by Federal Acquisition Regulation (FAR) Subpart 8.4, and in accordance with the requirements of FAR Subpart 8.405-6, the justification for the use of the statutory authority under FAR Subpart 8.4 is justified by the following facts and rationale required under FAR Subpart 8.405-6(a)(1)(C).

(1) Agency and Contracting Activity

The U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) Enforcement and Removals Office (ERO) proposes to enter into a contract on a basis of other than full and open competition for ERO Support Services. The contracting activity is the ICE Office of Acquisition Management (OAQ).

(2) Nature and/or Description of the Action Being Approved

ICE Enforcement and Removals Office (ERO) has a need for a short-term sole source extension to the current BPA Call Order HSCEMS-15-F-00032 with Capgemini Government Solutions, LLC, 1900 Campus Commons Drive, Reston, VA 20191 for 44 full-time equivalents (FTEs) to provide programmatic support within various ERO offices at an estimated cost of \$3,469,086.82. The current contract value is \$19,550,807.40 and the total contract value after adding \$3,469,086.82 will be **\$23,019,894.22**. Fiscal Year 2018 funds will be used.

Type of Contract - A contract modification will be issued to extend the current Labor Hour BPA Call Order HSCEMS-15-F-00032 to Capgemini under the provisions of the Business and Program Solutions for Law Enforcement (BAPSLE) Blanket Purchase Agreement (BPA) number HSCEDM-14-A-00005, and GSA Schedule contract number GS-10F-0037N.

Period of Performance (POP) - The POP for this Call Order shall be five (5) months in total from October 16, 2017 through March 15, 2018.

(3) Description of the Supplies/Services

Enforcement & Removal Operations (ERO) requires Planning and Detention Management efforts. Such services include: Providing advisory and support services to the ERO ground transportation activities to include contract optimization, ground route optimization, replacing short haul flights with ground transportation, and daily operational requests for analysis; Maintaining the capacity forecasting and planning "Bed Space Model Overview"; Using forecasting data from internal and external apprehending entities, length of stay statistics, case types, and nationality data to continue to develop bed-space capacity forecast requirements for the future; Maintaining and enhancing the detention facility database to assist ERO in validating decisions regarding capacity expansion; Assisting in the automation of the detention facility review process to include the development of tracking reports that detail conditions of confinement and deficiencies at ICE detention facilities that could impact expansion capabilities

based upon planned forecast projections; Conducting training workshops on Performance Based National Detention Standards 2011 (PBNDS 2011) or National Detention Standards (NDS) and provide guidance; And conducting pre-occupancy facility inspections.

The BPA Call extension will provide critical support for the following ERO programs:

ERO Office	Position Description	FTEs
<i>Capacity Forecasting and Planning Support</i>	(2) Manager 2 (2) Senior Consultant 3 (1) Senior Consultant 2 (3) Consultant 2	8
<i>Detention Management Support</i>	(2) Manager 2 (3) Manager 1 (2) Consultant 3 (1) Consultant 2	8
<i>Incident and Special Response Unit (ISRU) Support</i>	(1) Senior Consultant 1	1
<i>ERO Front Office (Executive Communications) Support</i>	(2) Manager 3 (4) SMS 1	6
<i>ERO Juvenile and Family Residential Management Unit (JFRMU) Support</i>	(3) Senior Consultant 2 (1) Consultant 2	4
<i>ERO Alternatives to Detention Unit (ATD) Support</i>	(1) Senior Consultant 2 (2) Consultant 2	3
<i>ERO Custody Programs Division (CPD) Support</i>	(1) Manager 2 (1) Manager 1 (4) Senior Consultant 2 (1) Consultant 3 (2) Consultant 2 (3) SMS 1	12
<i>ICE Office of Detention Policy and Planning (ODPP) Support</i>	(1) Manager 2 (1) Consultant 3	2

Award	Period of Performance	Amount
Base	05/16/2015-04/15/2016	\$6,677,635.13
Option Year 1	04/16/2016-04/15/2017	\$8,960,842.50
Six (6)-Month Extension -52.217-8	04/16/2017-10/15/2017	\$3,912,329.77
BPA Call Five (5)-Month Extension	10/16/2017-03/15/2018	\$3,469,086.82

Total Contract Value	\$23,019,894.22
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The total value of the extension to the Call Order is \$3,469,086.82.

4A) Identification of Statutory Authority Permitting Other Than Full and Open Competition

The statutory authority permitting other than full and competition is 41 U.S.C. 3102 et seq. and 40 U.S.C. 501, Services for Executive Agencies implemented by FAR Subpart 8.405-6 entitled "Limited Sources."

B) Demonstration that the Contractor's Unique Qualification or the Nature of the Acquisition Requires the Use of the Authority Cited.

The current BPA Call Order HSCEMS-15-F-00032 was awarded in April 2015 with a period of performance from May 16, 2015 through April 15, 2017. In accordance with FAR 52.217-8, ICE exercised a six (6) month extension to this Call Order in April 2017, extending the period of performance from April 16, 2017 through October 15, 2017.

In January 2017, ICE ERO implemented a project to fully assess operations and to design an organization capable of meeting future demands. Due to this project's assessment of ERO operations, organizational structure and workforce changes could have resulted that directly impact the need for Contractor provided services within the various offices of ERO HQ, whether through the elimination/restructuring of offices or through elimination of Contractor provided support roles themselves. For this reason, delaying any re-procurement efforts and exercising the FAR 52.217-8 option to extend the services under HSCEMS-15-F-00032 until an assessment was made on the long term ERO organizational structure was determined to be in the Government's best interest.

ERO recently completed the project and can now determine the requirements for contractor provided services. Therefore, ICE must seek a short-term sole source extension to the current BPA Call Order HSCEMS-15-F-00032 with Capgemini through March 15, 2018 in order to conduct a re-competition and allow for a possible 45-day transition period. Capgemini is the only source that can provide the support services for this short-term extension without a major negative impact. Capgemini is the only source available to fulfill this short-term need for the vital support roles within ERO. Capgemini currently possesses trained and cleared staff with the expertise required to conduct forecast planning that results in optimized capacity utilization. Specifically, Capgemini currently provides all the planning and management support tools, labor, and materials necessary to assist in effective capacity forecasting, and reporting of current and future detention capacity requirements. In addition, a disruption of services could result in the ERO program not having the personnel and support available to respond to emergency situations, and daily planning functions would be jeopardized.

- (5) A determination by the ordering activity contracting officer that the order represents the best value consistent with 8.404(d).**

The rates for this five (5) month extension will remain the same as the rates under the previous six (6) month extension exercised under FAR 52.217-8. The CO performed price analysis against the Capgemini BAPSLE and GSA schedule pricing and also reviewed other GSA schedules for similar services against Capgemini's and found the Capgemini pricing remains fair and reasonable.

(6) Description of Market Research

Market Research is required in accordance with FAR Part 10. ERO conducted market research by considering internal department-wide contract vehicles and Federal Supply Schedules on GSA in early 2015 on the initial award of HSCEMS-15-F-00032. Additionally, market research was conducted under the original BAPSLE BPA that was awarded on July 24, 2014 to the nine (9) BAPSLE vendors.

(7) Any Other Facts Supporting the Use of Other than Full and Open Competition

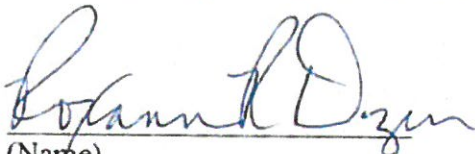
Recommendations for changes in the ICE ERO overall business structure were made as result of the ICE ERO Project. As ICE ERO relies on Contractor provided support services within various offices at ERO HQ, it was possible that the need for these services could have been impacted in the long term if significant restructuring were to occur within ICE ERO. Additional time was therefore required in order to properly determine ICE's long term needs for the Contractor provided support services. Additionally, these support services to the various program offices within ICE ERO are integral to the daily operations and the agency cannot afford any gap in service. Therefore, Capgemini is the only responsible source and no other service providers can satisfy agency requirement for this short-term extension.

(8) A Statement of the Actions, if Any, the Agency May Take to Remove or Overcome Any Barriers to Competition Before Any Subsequent Acquisition for Supplies or Services Required.

IAW FAR 8.405-6(a)(1)(B): Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized. A re-compete of this service contract and award will be made before this extension period of performance ends.

(12) Certifications

I certify that the facts and representations under my cognizance, which are included in this justification, meet the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

Requirements/Technical Personnel:

(Name)

Technical Representative

10/12/2017

Date

Contracting Officer:

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

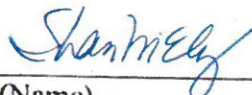
TRAVIS L GRAHAM

(Name)

Contracting Officer

Digitally signed by TRAVIS L GRAHAM
DN: c=US, o=U.S. Government, ou=Department of Homeland Security,
ou=ICE, ou=People, cn=TRAVIS L GRAHAM,
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Date: 2017.10.12 12:03:21 -04'00'

Date

Section Chief:

(Name)

Section Chief

10/13/2017

Date

Concurrence:**ICE Competition Advocate**

I concur with this justification.



(Name)

ICE Competition Advocate

10/16/2017

Date