



# 3490

**DEFENSE LOGISTICS AGENCY  
HEADQUARTERS  
8725 JOHN J. KINGMAN ROAD, SUITE 2533  
FORT BELVOIR, VIRGINIA 22060-6221**

**IN REPLY  
REFER TO**

**J-3312**

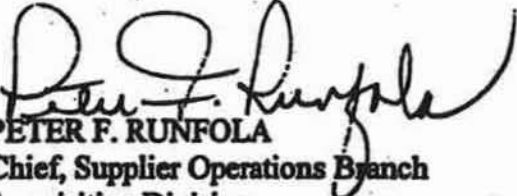
**JUL 28 2004**

**MEMORANDUM FOR COMMANDER, DEFENSE ENERGY SUPPORT CENTER  
(DESC) ATTN: DESC-BZD**

**SUBJECT: Justification and Approval (J&A) Request for Other Than Full and Open  
Competition Exceeding \$50 Million for JP8 Turbine Fuel, Alternate Route  
for Al Assad and Al Taquddem, Iraq Through Jordan Under Authority of  
10 U.S.C. 2304 (C)(2) (SP0600-04-D-0506)**

**This is to advise you that on July 28, 2004, the DLA Senior Procurement Executive  
signed the subject J&A. A copy of the signed J&A is attached. The original J&A and its  
attachments have been sent directly to the contracting officer.**

**The J-3312 point of contact for this action is Major Gary Binder, USAF (██████████  
██████████). (DSN ██████████).**

  
**PETER F. RUNFOLA  
Chief, Supplier Operations Branch  
Acquisition Division  
Acquisition, Technical & Supply Directorate**

**Attachment**



**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION FOR AN  
ALTERNATE SUPPLY ROUTE FOR JP8 THROUGH JORDAN TO IRAQ UNDER  
AUTHORITY OF 10 U.S.C. 2304(C)(2)  
Solicitation SP0600-04-R-0054-0002**

**1. Introduction:**

The Defense Logistics Agency, Defense Energy Support Center (DESC), is the contracting activity. The action being approved is the acquisition of supplies for JP8 on an other than full and open competition basis.

**2. Description of Agency's Need [10 U.S.C. 2304(f)(3)(A)]:**

This requirement is to establish an alternate supply route for Turbine Fuel, Aviation (JP8) through Jordan to Al Assad and Al Taquddem, Iraq in support of Operation Enduring Freedom. The military's need of JP8 for this supply route is estimated at 21,960,000 USG of JP8 for Al-Assad, Iraq, and 14,640,000 USG of JP8 for Al-Taquddem for a total estimated quantity of 36,600,000 gallons. The contract award price is \$76,860,000 with a delivery period of June 15, 2004, through December 15, 2004, plus a 30-day carry-over period.

**3. Authority for Unusual and Compelling Urgency 10 U.S.C. 2304(c)(2):**

The authority for other than full and open competition relied upon for this acquisition is 10 U.S.C. 2304(c)(2), FAR 6.302-2, Unusual and Compelling Urgency. This solicitation was urgently required to establish an alternate supply route through Jordan to ensure uninterrupted JP8 supply to Al Assad and Al Taquddem, Iraq. There were no current contract assets to meet this requirement because JP8 is not normally purchased for these locations. The agency's need for the alternate fuel route was of such an unusual and compelling urgency that the Government would have been seriously injured unless the agency was permitted to limit the amount of time allotted to receive solicited bids or proposals. The current supply routes to these locations are subject to attack by terrorist elements. This would cause severe interruption to the supply line and jeopardize the mission. As the alternate supply route is needed by U.S. Forces in support of Operation Iraqi Freedom, any delay in award would seriously impact the warfighter's readiness level and ability to meet mission requirements.

**4. Market Research/Efforts to Obtain Competition [10 U.S.C. 2304 (f)(3)(D) & (E)]:**

Because of DESC's knowledge of the petroleum market and product availability, no market research was required. Pursuant to FAR 5.202(a)(2), the Contracting Officer was not required to synopsize this requirement. However, in an effort to maximize competition, the subject solicitation was synopsized with a shortened timeframe to submit a proposal. Eleven sources were identified as potential suppliers and were specifically contacted.

**5. Price / Cost Considerations [10 U.S.C. 2304 (f)(3)(C)]:**

When the requirement was initially identified as urgent and compelling, the Contracting Officer contacted the current supplier, Trigeant, who was already operating in Jordan with the required permits. The Contracting Officer wished to enter into a contract with a

period of only a few weeks to meet the immediate need, and allow time to compete the remainder of the requirement. Trigeant was not able to accept the short delivery period because it would not be able to recoup its startup costs. Therefore, the Contracting Officer determined that the 6-month delivery period was the shortest timeframe possible in which offerors would have sufficient time to recoup start up costs. The 6-months were considered necessary to entice offerors to **submit a proposal.**

At the outset of this acquisition, the Government anticipated adequate price competition. In a previous procurement for deliveries to Iraq through Jordan, DESC received 15 offers and obtained adequate price competition. It was anticipated that many of the same offerors from the initial procurement would compete for the current requirement.


Six offers were received. However, only International Oil Trade Center (IOTC) was determined acceptable because it was the only offeror able to provide, prior to close of negotiations, the required letter from the Jordanian government authorizing it to transit fuel through Jordan to Iraq. CENTCOM confirmed that it had an urgent military need for a JP8 supply route through Jordan.

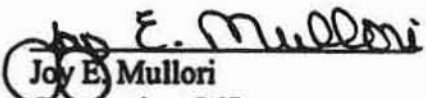
**6. Actions Being Taken to Overcome Barriers to Competition [10 U.S.C.2304(f)(3)(F)]:**

**Although there** was a shortened response time, the solicitation was advertised on **FEDBIZOPPS** and sent to eleven potential offerors in **an attempt to obtain as much competition as possible** given the time constraints.

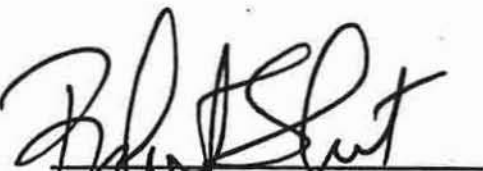
It is anticipated that in the event the need for **an alternate supply route to Al-Assad and Al-Taquddem** continues, a solicitation will **be issued under normal procurement time lines** rather than on an urgent and compelling basis. **Although the Government does not** have any authority over the Jordanian government's issuance of permits to transit fuel through its territory, DESC will continue to **address this issue through diplomatic channels.**


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

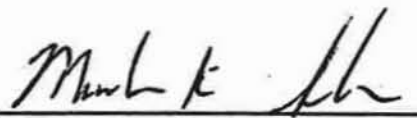
  
Erin S. Ralph  
Contract Specialist  
Bulk Fuels  
Date July 21, 2004

  
Joy E. Mullori  
Contracting Officer  
Bulk Fuels  
Date: 21 July 2004


I hereby certify that the data which form the basis for this justification is accurate and complete and that the purchase request covers only the minimum requirements to satisfy the needs of the Government.

  
Robert Short  
Chief, Inventory and Distribution Division  
Bulk Fuels  
Date: 7/21/04

  
Donald E. Peschka  
Chief, Contracting Division  
Bulk Fuels  
Date July 21 2004

  
Mark K. Iden  
Director,  
Bulk Fuels  
Date 21 July 04

I have reviewed this Justification.

  
DESC Office of Counsel  
Date 7/21/04

I have reviewed and hereby recommend that this Justification be approved:

Jerry Stanley Jr.  
Kerry Pilz  
Competition Advocate  
Date 7/21/09

Gabriella M. Earhardt  
Gabriella M. Earhardt  
Center Senior Procurement Official  
Date July 21, 2009

for North Steel **COE USA**  
Richard J. Connelly  
Director  
Date 21 JULY 09

I have reviewed this justification:

Kathleen O. Murphy  
DLA Office of General Counsel  
Date 7/21/04

I have reviewed and hereby recommend that this justification be approved:

Robert F. Kumpfala  
DLA Competition Advocate  
Date 7/26/04

Approval:

Claudia S. Knott  
CLAUDIA S. KNOTT  
Senior Procurement Executive  
Date 7/27/04