

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1. AGENCY AND CONTRACTING ACTIVITY (FAR 6.303-2(a) 1)). Bureau of Land Management, Grants Pass Interagency Office, 2164 NE Spalding Ave, Grants Pass, Oregon, 97526. Contracting Activity: BLM, Oregon State Office, Portland, OR.

2. NATURE/DESCRIPTION OF ACTION(s) (FAR 6.303-2(a)2)). The Bureau of Land Management, Grants Pass Interagency Office, 2164 NE Spalding Avenue, Grants Pass, Oregon, 97526, requires the services of Mr. Jim Nielsen to be purchased for the mapping and attributing of Port-Orford-cedar (POC) from 1:12,000 color film positive transparencies of 9" x9" aerial photographs which will enable the Bureau to monitor the uninfested watersheds per the Record of Decision and Resource Management Plan Amendment for Management of Port-Orford-Cedar in Southwest Oregon, Coos Bay, Medford, and Roseburg Districts.

3. DESCRIPTION OF THE SUPPLIES/SERVICES (FAR 6.303-2(a) (3)).

The Bureau of Land Management (BLM), Medford District, needs to complete an update survey and mapping of pockets of live, dead, and dying Port Orford cedar on District lands and on intermingled private ownerships within the range of this species.

Assistance is needed for unique professional Silvicultural services, specializing in Port Orford cedar management. Locations of live, dead, and dying Port Orford cedar shall be delineated on 1:12,000 color film positive transparencies of 9" x9" aerial photographs.

Photo interpretation and mapping will require a familiarity with the root disease *Phytophthora lateralis*, methods of root disease spread, typical patterns of infection, and experience using stereoscopic equipment to transfer information to maps and identify tree species.

The BLM will provide the use of 2010 color film positive transparencies of 9" x9" aerial photographs, a stereoscope with binoculars, Mylar overlays or photo sleeves, and work spaces at the Grants Pass Interagency Office. The BLM will provide color aerial photos and a GIS map showing polygons where there was occurrence of *Phytophthora lateralis* at the time of the last mapping in 2003.

Using disease occurrence information from the 2003 PL survey as a base, new polygons shall be drawn on the Mylar overlays of the 2010 color film positive transparencies of 9" x9" aerial photographs around any group of two or more live, dead, or dying POC using a permanent red marking pen. New polygons may be polygons from the 2003 PL survey that have enlarged due to root disease spread, they may be entirely new polygons that represent areas of infection that weren't present in 2003, they may be polygons that are the same as the 2003 survey polygons, or they may be polygons that are only a portion of the 2003 survey polygons. Lines shall be drawn on the photographs around groups of live, dead, or dying POC that are separated by a least twenty-five (25) feet on the actual site. Ink width distance on the aerial photo shall average 1/40<sup>th</sup> of an inch or less, which is approximately equal to twenty five feet on the ground.

4. IDENTIFICATION OF STATUTORY AUTHORITY (FAR 6.303-2(a) 4)). The statutory authority that will be used is 10 U.S.C. 2304(c)(1) - Only one responsible source and no other supplier or services will satisfy the agency requirements as outlined. This is a follow-on acquisition to a contract issued in 2003 for the same services using the authority FAR 6.302-1.

The proposed contract will compare the photo mapping performed under that contract with the current up-to-date photo and analysis of the current situation compared to the previous contract.

5. DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICATIONS (FAR 6.303-2(a) (5)). This requirement is for sole source procurement with Jim Nielsen, Woodland Forestry, Inc. 55510 Glen Aiken Creek Road, Coquille, OR 97423.

In accordance with BLM Manual H-1510-1, Appendix 4, a noncompetitive procurement for the above services is recommended because only one source, Mr. Jim Nielsen, consulting forester, possesses unique expertise, training and experience to meet the Government's strict work requirement, making competition not feasible. This is a

follow-on procurement to a completed contract with Mr. Nielsen. USDA Forest Service Contract Number 53-0M00-3-70 – POC Mapping and Photo Interpretation.

Mr. Nielsen is the recognized expert in aerial photo interpretation of Port-Orford-cedar and *Phytophthora lateralis* infestations. He testified as an expert witness for the Government regarding Port-Orford-cedar mapping in Oregon Natural Resources Council Fund et al. vs. Bureau of Land Management et al. (Case Number 03-478-HO).

Mr. Nielsen has mapped an estimated two million acres for dead and dying Port Orford cedar. In 1998, Mr. Nielsen identified and mapped locations of dead and dying Port Orford cedar on the Medford District of the BLM. Because of the mandated Ninth Circuit Court of Appeals ruling a cumulative impact analysis for the spread of the Port Orford cedar root disease was necessary in 2003. For comparative purposes, the Medford District had Jim Nielsen remap the spread of Port-Orford-cedar root disease in 2003. Mr. Nielsen has previously mapped dead and dying Port Orford cedar on the Coos Bay and Roseburg BLM Districts, as well as the Rogue-Siskiyou National Forests. Mr. Nielsen completed Contract Number 53-0M00-3-70 – POC Mapping and Photo Interpretation. Mr. Nielsen has been recognized for his expertise in mapping Port Orford cedar through aerial photo interpretation at an inter-regional Port-Orford-cedar Technical Committee meeting. Mr. Nielsen has also assisted in developing a reliable methodology at Colorado State University at Fort Collins, Colorado, to accurately identify areas of Port-Orford-cedar mortality. This work cannot be accomplished by known BLM personnel without considerable training and practice.

Based upon the need for consistency between the 1998, 2003, and the present survey, Mr. Nielsen is uniquely qualified to conduct such work and therefore a single source is recommended. It would also provide consistency to have the same person/contractor perform the new requirement since they also performed the original 2 photo mapping contracts for comparison and analytical purposes.

6. FEDERAL BUSINESS OPPORTUNITIES AND ELECTRONIC COMMERCE FOR POTENTIAL SOURCES (FAR 6.303-2(a) 6)). Publication of a notice of intent is required to be posted on the FEDBIZOPS.

7. DETERMINATION OF FAIR AND REASONABLE COST (FAR 6.303-2(a) (7)). The quotation received will be evaluated using and comparing pricing from the previous contracts performed by Jim Nielsen, Woodland Forestry Inc., including escalation factors to determine price fair and reasonableness.

8. DESCRIPTION OF MARKET RESEARCH (FAR 6.303-2(a)(8)). Market research indicates that even though there are potential sources that provide aerial mapping, the requirement is to also provide follow-on services for the analysis and comparison of previous mapping and photos that were performed by the requested source under prior contracts.

9. ANY OTHER SUPPORTING FACTS (FAR 6.303-2(a)(9)). Competition for this type of work has not been established because the range of Port-Orford-cedar (POC) is not very wide. Very few individuals get experience working in POC. Other individuals could learn about its habits and the disease that it hosts from literature, seminars, or university. Obtaining knowledge in POCs' silvicultural application and disease management is also very limited. Aerial photo interpretation is not a unique skillset, what is unique is the ability to attribute, delineate, and map live, dead, or dying POC from those photos.

10. ACTIONS, TAKEN TO REMOVE BARRIER TO COMPETITION (FAR 6.303-2(a)(11)). New technologies will be coming available in the future that will have finer resolution and may not need a specific individual's expertise to analyze the data. At this time, this type of contract is not anticipated to be used again in the future.