JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

SECTION 1: IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

Department of State Contracting Activity	☒ Overseas Post Pretoria
Requiring Activity	Bureau of Population, Refugees, and Migration (PRM) / U.S. Citizenship and Immigration Services (USCIS).

SECTION 2: NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED

Approval is requested to **award a new contract** on a sole source basis to **Keystone Tech (Pty) Ltd.**, located at 145 Wallmansthal Road, Pretoria, South Africa. This action is for the rapid design and construction of a temporary modular village for refugee processing consisting of 14 trailers and civil works. This will be a **Firm-Fixed-Price (FFP)** contract.

SECTION 3: DESCRIPTION OF SUPPLIES/SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS

The project requires the delivery and installation of **14 prefabricated modular buildings** at the Embassy Pretoria Annex.

- **Supplies**: 12 modules configured with four private interview suites each; 2 open-plan modules for administrative and biometric processing.
- **Infrastructure**: Installation of electrical upgrades (approx. 440m of armored cabling), HVAC units, and 90m of 100% opacity perimeter fencing.
- **Quantity/Timeline**: Initial delivery of 4 units must occur within **14 calendar days** of Notice to Proceed (NTP), with full operational capacity (all 14 units) achieved by **Week 5**.
- **Estimated Value**: The total estimated value is **$771,952.41** (R12,505,629) inclusive of 15% VAT

SECTION 4: IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

The statutory authority for this non-competitive action is **41 U.S.C. 3304** as implemented by **FAR 6.3**, specifically section **FAR 6.302-2**, "Unusual and Compelling Urgency."

SECTION 5: DEMONSTRATION THAT THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

Keystone Tech is uniquely qualified to meet this requirement based on the following:

- **Unusual and Compelling Urgency**: Following a host-nation immigration raid on the prior commercial processing site on December 16, USRAP operations were compromised. The White House has designated the relocation to a USG facility as a **top operational priority**. Failure to authorize the procurement action may result in:
    - Program Delays: The inability to safely process about 4,500 applicants per month, an objective communicated to PRM from the White House, would result in failure to meet a Presidential priority.
    - Increased Physical Risk: Continued processing in non-hardened or public-adjacent areas leaves the Embassy vulnerable to protests, crowds, or further host-nation intervention.
    - Breach of Duty of Care: The Embassy has a heightened "Duty of Care" following the raid to provide a safe environment for applicants who may now be targeted.
- **Critical Timeline**: Keystone Tech has demonstrated the immediate availability of prefabricated units and the logistical capacity to begin installation within **two weeks**. According to our Market Survey results, other vendors cannot meet this accelerated mobilization window while adhering to the specific security and technical requirements (e.g., integrated panic buttons and specific opaque fencing). Given the volatile environment following the raid, a standard brick-and-mortar build is impossible. The modular approach—specifically the 14-day Initial Operational Capability (IOC), allows for the immediate resumption of interviews under secure conditions.
- **Technical Integration**: The vendor provides a turnkey solution that includes specialized electrical infrastructure and furniture sets already optimized for the Module Floor Plan required by USCIS.

SECTION 6. DESCRIPTION OF EFFORTS TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE, INCLUDING WHETHER A NOTICE WAS OR WILL BE PUBLICIZED AS REQUIRED BY FAR SUBPART 5.2 AND, IF NOT, WHICH EXCEPTION UNDER FAR 5.202 APPLIES

Market research was conducted to identify local vendors capable of meeting the dual requirement of high-volume modular delivery and specialized security construction. **Due to the unusual and compelling nature of this effort, a notice was not publicized under the exception noted at FAR 5.202(a)(2).**

SECTION 7. DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT IS FAIR AND REASONABLE

The Contracting Officer has determined the anticipated price is fair and reasonable based on a **comparison to an independent government estimate (IGE)** and **historical prices** for similar modular office procurement in the Pretoria region.

The Mission's Facility Management section conducted market research identifying local modular vendors. While other vendors exist, none could guarantee delivery of a "Minimum Viable Product" (4 units) within 14 days of award, particularly in light of the "builder's holiday" in South Africa between mid-December to Mid January. Due to the urgent need to protect applicants from ongoing threats, a full synopsis was not publicized per the emergency exceptions under **FAR 5.202**.

SECTION 8. DESCRIPTION OF THE MARKET RESEARCH CONDUCTED (SEE PART 10) AND THE RESULTS OR A STATEMENT OF THE REASON A MARKET RESEARCH WAS NOT CONDUCTED

Market research was conducted in December 2025 by the Embassy Facility Management (FAC). Research focused on vendors capable of immediate "design-build" delivery within the Pretoria metropolitan area. Keystone Tech was identified as the only local entity possessing the ready stock and labor force to meet the 14-day mobilization requirement.

SECTION 9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

The 14-day Initial Operational Capability (IOC) requirement is a critical path for mission success. Delaying the award would result in serious setback to the Government's ability to fulfill its refugee processing mandates safely.

SECTION 10. LISTING OF SOURCES, IF ANY, THAT EXPRESSED A WRITTEN INTEREST IN THE ACQUISITION

No other sources contacted through the market survey expressed interest or the ability to meet our rapid requirement. All other contacted vendors were starting their four-week holiday. Additionally, this requirement was not publicized due to the unusual and compelling nature of the acquisition.

SECTION 11. STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

This is a one-time, urgent requireent for temporary facilities. For any future, permanent USRAP facility expansions or long-term structural upgrades, the Government intends to develop a full performance specification and use standard competitive procurement procedures.

SECTION 12. CERTIFICATIONS

All reviews and approvals should be completed in the order listed unless otherwise authorized or required.

TECHNICAL AND REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:
SIGNATURE:

Nicholas Karklins — 01-27-2026

Name Nicholas Karklins — **Date**
Title Senior Facility Manager

Requirements Cognizance:
SIGNATURE:

01-27-2026

Name — Date
Title

LEGAL SUFFICIENCY REVIEW
This J&A is hereby determined to be legally sufficient.
SIGNATURE:

Matthew S. Tilghman — 01-27-2026

Name — Date

CERTIFICATIONS (Continued)

CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(a)(12))
I certify that this submission is accurate to the best of my knowledge, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

SIGNATURE:

1/27/2026

William. S Bostwick
Contracting Officer

Date

SECTION 13. APPROVALS

HEAD OF THE CONTRACTING ACTIVITY SIGNATURE:

Katherine A. Reilly

Katherine A. Reilly
HCA

01/27/2026
Date