

Control Number: HQC007-12-35

Purchase Request Number: HQCAAA-2045-2100

Description of Acquisition: Renewal Maintenance Support for the Eaton (Powerware) Uninterruptible Power Systems (UPS) and the purchase of brand name replacement Eaton batteries.

Statutory Authority: 10 U.S.C. 2304(c)(1), FAR part 8.405-6, Limited Sources Justification

Estimated Contract Amount:

Prepared by: Bilal Kayani BK Contract Specialist
Phone: (804) 734-8000 Ext: 86183 Date: 3/20/12

Technical: LTC Donald Rotramel DR Program Manager
Telephone (804) 734-8000 Date: 3/22/12

BEIMG REP: Debbie Emory DE IT Resource Specialist
Phone: (804) 734-8000 Ext: Date: 3/22/12

PCO: Rita W. Jackson RWJ Contracting Officer
Phone: (804) 734-8000 Ext: 48199 Date: 3/27/12

Reviews: We have reviewed this Limited Source Justification (LSJ) and find that justification is adequate to support other than full and open competition.

Program Manager: LTC Donald Rotramel Phone: (804) 734-8000 Ext:

Signature: [Signature] Date: 3/22/12

Legal Counsel: Elliot J. Clark Phone: (804) 734-8000 Ext: _____
(Printed Name)

Signature: [Signature] Date: Mar 23, 2012

Competition Advocate: Melissa Rios Phone: (804) 734-8000 Ext:

Signature: [Signature] Date: 3/26/12

Division Chief: Debbie L. Wiggins Phone: (804) 734-8000 Ext:

Signature: [Signature] Date: 5/15/12



**Department of Defense
Defense Commissary Agency**

**Limited Source Justification
(Reference FAR 8.405-6)**

General Services Administration Federal Supply Schedule

This acquisition is being conducted under the authority of Section 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C.501) Multiple Award Schedule Program FAR 8.401 and is justified by the following facts and rationale required under FAR 8.405-6 (a)2, application of brand name as follows:

(1) Agency and Contracting Activity

Defense Commissary Agency
1300 E Avenue
Fort Lee, VA 23801-1800

Requiring Activity: Information Technology Directorate, Technology Enhancement Division, Data Center (BEITC)
Contracting Activity: Store Services Support Division, IT Procurement Branch (LEAS-I)

Defense Commissary Agency (DeCA), Store Services Support Division, Information Technology Branch, proposes to enter into a contract on the basis of other than full and open competition.

(2) Nature and/or description of the action being approved.

DeCA has a requirement to procure Renewal Maintenance Support for its Eaton (Powerware) Uninterruptible Power Systems (UPS) to include brand name replacement Eaton batteries, located at its Headquarters (HQ) Fort Lee, Virginia and its Continuity of Operations Plan (COOP) site at McClellan AFB, California (DeCA West).

Proposed Contractor: Eaton Corporation
8609 Six Forks Rd.
Raleigh, NC. 27615
POC: David Rowe, (919) 870-3132

(3) Description of Supplies/Services:

This requirement is to provide Renewal Maintenance Support for DeCA's Uninterruptible Power Systems (UPS). DeCA's UPS is a critical part of the agency's disaster recovery plan and system reliability in adverse conditions. The current UPS require maintenance support for HQ and DeCA West to ensure continuity of operations.

Uninterruptible Power System Maintenance Support Plan				
BASE YEAR				
Item	Description	S/N	QTY	TYPE
1	ProActive Support Plan Fort Lee, VA	EW062ZXX03	1	Renewal
2	ProActive Support Plan McClellan, CA	EV383ZBA01 and EV383ZBA02	1	Renewal
Uninterruptible Power System Maintenance Support Plan				
OPTION YEAR ONE				
Item	Description	S/N	QTY	TYPE
1	ProActive Support Plan Fort Lee, VA	EW062ZXX03	1	Renewal
2	ProActive Support Plan McClellan, CA	EV383ZBA01 and EV383ZBA02	1	Renewal
Uninterruptible Power System Maintenance Support Plan				
OPTION YEAR TWO				
Item	Description	S/N	QTY	TYPE
1	ProActive Support Plan Fort Lee, VA	EW062ZXX03	1	Renewal
2	ProActive Support Plan McClellan, CA	EV383ZBA01 and EV383ZBA02	1	Renewal
Uninterruptible Power System Maintenance Support Plan				
OPTION YEAR THREE				
Item	Description	S/N	QTY	TYPE
1	ProActive Support Plan Fort Lee, VA	EW062ZXX03	1	Renewal
2	ProActive Support Plan McClellan, CA	EV383ZBA01 and EV383ZBA02	1	Renewal
OPTIONAL CLIN:				
Brand Name (BN) Eaton Batteries				
Item	Description	S/N	QTY	TYPE
1	Battery Replacement Option Fort Lee, VA	153302087- 002	160	New
2	Battery Replacement Option McClellan, CA	153302090- 002	80	New

The proposed periods of performance are:

Base Period of Performance: April 18, 2012 – March 31, 2013

Option One Period of Performance: April 1, 2013 – March 31, 2014

Option Two Period of Performance: April 1, 2014 – March 31, 2015

Option Three Period of Performance: April 1, 2015 – March 31, 2016

OPTION CLIN for B/N Batteries: for option year one; however, if purchased in any other option year, the escalated pricing for the out years would not be more than 25% of the base year cost, or the current GSA schedule rate, whichever is lower.

Overall estimated total:

(4) Identification of the justification and the rationale.

In accordance with FAR 8.405-6, the circumstances restricting competition for this acquisition is the Support Plans are unique to the manufacturer. The Eaton (Powerware) UPS has been in service at DeCA for nine years. It is imperative that these systems remain operational as they backup the agency's systems during unforeseen circumstances or adverse weather conditions. A maintenance support plan provides the necessary support to ensure this occurs. In 2008, the UPS was upgraded at the DeCA West computer room to handle additional COOP equipment. Due to the criticality of DeCA's computer infrastructure, this maintenance is required to ensure continuous electrical power for both the HQ computer room and the DeCA West computer room.

(5) Determination by the ordering activity Contracting Officer that the anticipated order represents the best value consistent with 8.404(d).

In accordance with FAR 8.404, I hereby determine that the anticipated cost or price to the Government for this delivery order will be fair and reasonable. The Price Reasonableness memorandum detailing the Fair and Reasonable Price Determination will be included in the contract file documentation.

(6) Market Research.

Market research was conducted through searches of the internet, GSA Advantage, trade publications, and DeCA was unable to identify resellers for the Eaton UPS. Furthermore, the manufacturer has provided a letter stating that it has no authorized resellers under a pre-established Government Wide Acquisition Contract (GWAC).

(7) Any other facts supporting the justification.

Renewal of the maintenance support plans are required to maintain COOP and Disaster Recovery (DR) operations for both DeCA Headquarters and DeCA West data centers.

(8) A statement of actions, if any, the agency may take to remove or overcome any barriers that preclude the agency from meeting the requirements of 8.405-1 and 8.405-2 before any subsequent acquisition for the supplies or services is made.

This maintenance support plan is proprietary to its manufacturer, with no approved, authorized resellers. In an effort to prevent having to replace major portions of its enterprise architecture, the government's only option is to seek cost reductions by negotiating prices below the schedule holder's published price lists to ensure that it is always obtaining the best possible pricing.

(9) Contracting Officer's Certification.

In accordance with FAR 8.405-6(g)(2)(ix), I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

Rita W. Jackson
Contracting Officer

3/20/2012
Date

(10) Technical/Requirements Personnel Certification.

I certify that this requirement meets the Government's minimum need and that the supporting data, which forms a basis for the justification, is accurate and complete.


Technical Representative

3/22/12
Date

APPROVAL:

CONTRACTING OFFICER CERTIFICATION:

"I have reviewed this justification and find it to be accurate and complete to the best of my knowledge and belief. Since this justification does not exceed \$550,000 and pursuant to the authority of 10 U.S.C. 2304(c)(1) provided that funds are available or will be made available and provided that the services and/or supplies herein described have otherwise been authorized for acquisition, this review serves as approval."

NAME: Rita W. Jackson

SIGNATURE: 

TITLE: Chief, LEAS-1/Contracting Officer

DATE: 3/22/12