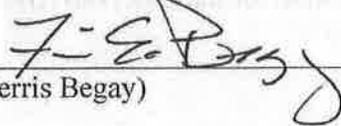




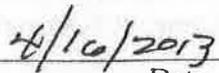
Reviews and Approvals

Program Senior Official (or designee):

I certify that the facts and representations under my cognizance, which are included in this justification and which form a basis for this justification, are complete and accurate.



(Ferris Begay)

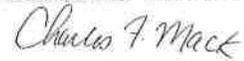


Date

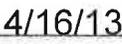
Reviews and Approvals

Program Senior Official (or designee):

I certify that the facts and representations under my cognizance, which are included in this justification and which form a basis for this justification, are complete and accurate.



(Charlie Mack or Roger Hawkins)



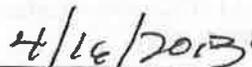
Date

Requisitioner:

I certify that the facts and representations under my cognizance, which are included in this justification and which form a basis for this justification, are complete and accurate.



Signature



Date

Contracting Officer:

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

Signature

Date



**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
FAR 6.303-2**

1. Agency

The Bureau of Indian Affairs (BIA) Central office Acquisitions - Reston proposes to enter into a contract on a basis of other than full and open competition for the Colorado River Agency (CRA) and the San Carlos Irrigation Project (SCIP).

2. Description

The intended contract is a sole source action to procure the necessary services to complete the implementation of the Electric Utility Management System (EUMS) for CRA and SCIP. This will be a firm fixed price contract which will serve as the follow-on to the expired contract A11PX90300 with Continental Utility Solutions, Jonesboro, AR. The work was previously awarded under full and open competition after exclusion of sources and was a small business set-aside. Due to government related issues, the implementation was delayed and the original contract lapsed. This has left the EUMS system partially implemented for CRA but not for SCIP. The government needs for this implementation to be completed so that the EUMS system can be used and the older SCIP system and the Colorado River Utility Management System can be retired. The contract period will be for the remainder of FISCAL year 2013

3. Supplies and Services Requested

This requirement is to complete the data conversion and the SCIP implementation of EUMS. This includes training government users and government technical staff as well as configuring the virtual EUMS servers housed in the Albuquerque NM data center. In addition the Elements and Secure e-Bill and Credit and ACH Payment Modules shall be implemented as well as the specified EUMS interfaces originally identified in the A11PX0300 - Statement of Work will be completed. The estimated cost of this effort is **Redacted**

EUMS encompasses the spectrum of services of a typical electric utility, to including customer billing and collection; accounting; inventory; engineering; maintenance; and mapping. The BIA has used multiple systems in the past, and EUMS will consolidate the functionality into a single system that meets the needs of the three BIA power projects operated directly by federal employees as well as meeting the needs of the users. This will reduce costs, improve efficiency, and improve consistency. EUMS will be used by the Truxton Canon, Colorado River Agencies and San Carlos Irrigation Project (SCIP). EUMS was implemented for the Truxton Canon and Colorado River Agencies in 2012. The government has a need for the EUMS installation in SCIP and three modules, Elements and Secure e-Bill and Credit and ACH Payment shall be implemented. Furthermore, federal staff shall be trained on their use.



4. Statutory Authority

The statutory authority permitting other than full and open competition is 41 U.S.C.253(c)(1)(or 10 USC 2304(c) (1)) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

5. Contractor Qualifications

This solicitation will allow the government to complete a project that is currently in progress. It would cost the government significantly more in time and effort to restart the project with a new vendor and a new software product. Continental Utility Solutions (CUSI) is uniquely qualified to provide the services requested by the BIA. CUSI have developed the software that is being implemented as EUMS. This software is proprietary to CUSI and there are no other known suppliers of CUSI products or implementation services. As CUSI is the only organization that can finish this project they are uniquely qualified to do so.

6. Efforts to Obtain Additional Sources

The CUSI software being implemented as EUMS was selected after a full and open competition. At that time the government attempted to find an offeror that provided the best solution to meet its needs. The software and services from CUSI were judged to be the best solution to meet the government's needs. In addition the government conducted market research to determine if any offeror was available to meet the needs of the government in completing this project. Due to the proprietary nature of the software, no other companies are certified by the vendor for implementation services. Using another vendor would invalidate the software warranties

7. Fair and Reasonable Price

The Contracting Officer determines that the anticipated price will be fair and reasonable based on the work accomplished to date by CUSI, historical pricing and price comparison to similar items available on the current market place. Market Research
The software being implemented as EUMS was selected after a fair and open competition after exclusion of source that was held in accordance with FAR regulations. The software and services from CUSI were determined to provide the best value for the government. At that time there were no other companies implementing CUSI software. CUSI is the only company supporting and implementing the CUSI software. Current market research indicates due to the proprietary nature of the software, no other companies are certified by the vendor for implementation services. Using another vendor for this implementation would invalidate the software warranties.

8. Other Factors

The software has been purchased by both the CRA and SCIP and needs to be fully implemented. This solicitation will allow the government to complete a project that is currently in progress. It would cost the government significantly more in time and effort to restart the project with a new vendor and a new software product. The government



will not be paying for any duplicative services as the payments were made as the goods and services were delivered. Any additional costs would be for requirements that were determined after the commencement of the project. The government cost estimate was determined using the original contract costs and extrapolated by project experience.

9. Other Interested Sources

No interested sources expressed an interest or acceptable solution.

10. Barriers to Competition

The software being implemented as EUMS was selected after a fair and open competition that was held in accordance with FAR regulations. The software and services from CUSI were determined to provide the best value for the government. Due to the proprietary nature of the software, no other companies are certified by the vendor for implementation services. Using another vendor would invalidate the software warranties. Other EUMS software would be duplicative and not interchangeable with the current software; this would create additional oversight resources the government does not have available. This solicitation will serve to complete the original requirement of working software for CRA and SCIP and the decommissioning of the legacy systems. When the opportunity to compete for the software to replace EUMS is presented, the competition will be fair and open and in accordance with FAR guidelines.