

JOFOC | JUSTIFICATION for OTHER than FULL and OPEN COMPETITION

1. Acquisition/Order Reference Number: **ILMS Ariba PR8916401**
2. Requesting Office for this Acquisition: **U.S. Consulate General, Karachi Facilities Management/State**
3. Nature and/or description of the action being approved:
BME Contract (Base + four option years) for Power Monitoring System at New Consulate compound (NCC) Islamabad, with Eaton Corporation. Estimated value: \$94,000.
4. A description of the supplies or services required to meet the agency's needs:
Sole source contract with Eaton to purchase Preventive Maintenance (PM) Services for Power Monitoring System installed at U.S. Consulate General, Karachi, Pakistan.
5. An identification of the statutory authority permitting other than full and open competition:
FAR 6.302-1: "Only one responsible source and no other supplies or services will satisfy agency requirements. (a) Authority.(1) Citations: 10 U.S.C. 2304(c)(1) or 41 U.S.C. 3304(a)(1)." This vendor is the only source available, but also, is considered the only source under sub-paragraph (a)(2)(ii) of the referenced paragraph: "Supplies may be deemed to be available only from the original source in the case of a follow-on contract for the continued development or production of a major system or highly specialized equipment, including major components thereof, when it is likely that award to any other source would result in— (A) Substantial duplication of cost to the Government that is not expected to be recovered through competition;
6. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (required for sole source, and unusual & compelling urgency where more than one offer will not be solicited):
New Consulate Compound (NCC) Electrical Power System is equipped with Power Monitoring System that is designed, manufactured, and commissioned by Eaton Corporation. Eaton has not designated their authorized distributor/dealers in Pakistan rather anywhere in the world thus they are a unique source. Award for preventive/routine maintenance services to other than Eaton will result in non-professional services from inadequately trained technicians, potential malfunctioning, and ultimately irreparable damage to expensive equipment installed in the recent past. Therefore, Eaton is the only source who has expertise, skills, qualified personnel, and the authority to provide required services and genuine parts for replacement. Awarding this contract to other than Eaton will not be the best value for USG.
7. Describe efforts to ensure that offers are solicited from as many potential sources as is practicable:
No efforts were made to invite offers since Eaton is the designer and manufacturer of power monitoring system and has not authorized any other entity to perform PM Services for their designed equipment in this region. Hence inviting bids from unauthorized competitors will result in substandard services and counterfeit parts that may damage expensive equipment.
8. Contracting Officer Determination that the anticipated cost to the USG will be fair and reasonable:
On previous years cost of certified services price is considered fair/reasonable.
9. Describe the market survey conducted and results, or reasons why a market survey was not conducted:
No other vendors were contacted based on the fact that Eaton has not authorized any other entity to perform services on Power Monitoring System.
10. Any other facts supporting the use of other than full and open competition:
N/A
11. A listing of sources, if any, that expressed, in writing, an interest in the acquisition:
N/A
12. A 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:

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CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the JOFOC recommendations.



Name: Richard Heaton
Title: Management Officer – Facilities Manager

9-10-2020

Date



Name: Sandra A Castillo
Title: Contracting Officer for the
U.S. Consulate General, Karachi

9/10/2020

Date