

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION**

**Solicitation No.: R14PC00040**

**Project Name: Electric Utility Services, Eastern Colorado Area Office, Mount Elbert, Granite Colorado**

In accordance with FAR 6.302, the proposed contractual action is pursuant to the statutory authority of 41 U.S.C. 253(c)(1), *Only one responsible source and no other supplies or services will satisfy agency requirements.*

1. **Agency and Contracting Activity.**  
Bureau of Reclamation, Great Plains Regional Office
  
2. **Nature/Description of Action.** Electric utility services for the Eastern Colorado Area Office, Mount Elbert Pumped Storage Plant (MTE) associated buildings and structures. Buildings and structures include the Twin Lakes Outlet Works Control House, MTE Powerplant O&M Buildings, MTE Switchyard, MTE Powerplant Gate house, Twin Lakes Gaging Stations, and Twin Lakes Well house.
  
3. **Description of Supplies/Services.** As previously indicated, this requirement is for electric utility services. The period of performance is for 10 years; however, this service is a needed service for the foreseeable future. FAR 41.103(b) requires a Delegation of Authority (Delegation) from the General Services Administration (GSA) for utility procurements over one year. A Delegation has been requested from GSA, and Reclamation has no reason to believe the request will be rejected. However, if the Delegation is rejected by GSA, this procurement will be limited to 12 months. The estimated value of this procurement is \$1,000,000 for the life of the contract; fiscal year funding will be obligates in period of 12 months.
  
4. **Statutory Authority Permitting Other than Full and Open Competition.**

	Authority	FAR Coverage	Application
<input checked="" type="checkbox"/>	41 U.S.C. 253(c)(1)	FAR 6.302-1	Only one responsible source and no other supplies or services will satisfy agency requirements
<input type="checkbox"/>	41 U.S.C. 253(c)(2)	FAR 6.302-2	Unusual and compelling urgency
<input type="checkbox"/>	41 U.S.C. 253(c)(3)	FAR 6.302-3	Industrial mobilization; engineering, developmental or research capability; or expert services
<input type="checkbox"/>	41 U.S.C. 253(c)(4)	FAR 6.302-4	International Agreement
<input type="checkbox"/>	41 U.S.C. 253(c)(5)	FAR 6.302-5	Authorized or required by statute
<input type="checkbox"/>	41 U.S.C. 253(c)(6)	FAR 6.302-6	National Security
<input type="checkbox"/>	41 U.S.C. 253(c)(7)	FAR 6.302-7	Public Interest

5. **Demonstration of Contractor's Unique Qualifications.** The Sangre deCristo Electric Association, Inc. (Sangre) is the only provider for electric utilities to the buildings and

structures in and around the MTE facility in Granite, Colorado. This is a standard industry practice in the utility industry as most utilities have designated service areas.

6. **Description of efforts made to maximize competition.** The estimated cost of the proposed action is more than the \$15,000 threshold for disseminating information. Therefore, Reclamation will post a "Notice of Intent" to FedBizOpps allowing other sources the opportunity to notify Reclamation of their ability to fully perform the required services.
7. **Determination of Fair and Reasonable Cost.** Sangre's pricing is publicly posted on the Internet and in their rate schedules, and comparable to other rates throughout the state of Colorado. Pricing provided to Reclamation is based off of the same rate schedules applied to other Sangre customers.

Sangre is a non-profit organization that is regulated by its Board and members. Sangre is required to file an annual report with the Colorado Public Utilities Commission; this helps ensure that rates are fair and reasonable. Members of the organization are considered part owners. Sangre is associated with and an active member of Touchstone Energy Cooperative, Colorado Rural Electric Association, and the National Rural Electric Cooperative Associations; organizations that work together to provide power at the lowest possible cost.

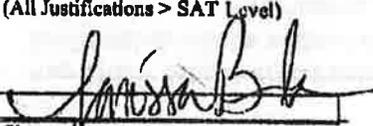
8. **Description of Market Research Conducted.** GSA Area wide Public Utility Contract listing was consulted and sever vendors are listed:
  - a. **Aquila, Inc.** – Acuila, Inc. is now Black Hills Utility Holdings, Inc. Black Hills does not provide electric utility services for the Granite, Colorado area.
  - b. **Atmos Energy Corporation** – Atmos does not provide electric utility services.
  - c. **Black Hills Utility Holdings, Inc.** – Black Hills does not provide electric utility services for the Granite, Colorado area.
  - d. **Colorado Springs Utilities** – Does not provide service to the Granite, Colorado area.
  - e. **Public Service Company of Colorado** – Public Service provides only natural gas utilities for the Granite, Colorado area.

Market research performed is documented with the Market Research Checklist located in the purchase order file; tab 4.

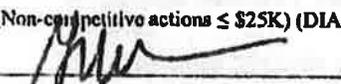
9. **Any Other Supporting Facts.** Without the timely performance of these services, Reclamation will be without electric utility services for the Eastern Colorado Area Office, Mount Elbert Pumped Storage Plant (MTE) associated buildings and structures
10. **Listing of Interested Sources.**  
Sangre deCristo Electric Association, Inc.  
PO Box 2013  
Buena Vista, CO 81211-9601

11. **Actions Taken to Remove Barriers to Competition.** Reclamation does not anticipate having a competitive requirement for the above-specified work as long as Sangre is the only provider for electric utility to the buildings and structures in and around the MTE facility in Granite, Colorado.

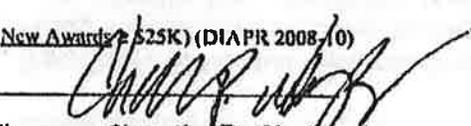
**REQUESTING OFFICE REPRESENTATIVE CERTIFICATION: ALL SUPPORTING DATA PROVIDED AND THE CONTENTS OF THIS JUSTIFICATION ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. (All Justifications > SAT Level)**

Signature  Date 4/15/14

**CONTRACTING OFFICER (CO) CERTIFICATION:**  
(Non-competitive actions ≤ \$25K) (DIAPR 2008-10)

Signature  Date 4/21/14

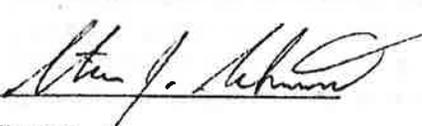
**CHIEF of the CONTRACTING OFFICE CERTIFICATION (CCO):**  
(New Awards ≥ \$25K) (DIAPR 2008-10)

Signature  Chandler P. Worley, Jr. Date 4/23/14

**ONE LEVEL ABOVE-** If the CO and CCO are the same; the justification must be approved by one level above. (DIAR 1402.101)

Signature \_\_\_\_\_ Date \_\_\_\_\_

**BUREAU COMPETITION ADVOCATE: (≥ \$650K) (DIAPR 2008-10, RAC 12-06)**

Signature  Date 5/7/14