

CONTROL NUMBER: HQC007-13-38

Purchase Request: HQCAAA-3232-0001

AMENDMENT 01
LIMITED SOURCES JUSTIFICATION (LSJ)

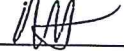
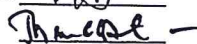
Description of Acquisition: Procurement of MiniTab16 perpetual licenses for the Defense Commissary Agency's (DeCA) Performance Office

Note: This document is an Amendment to the previously approved LSJ, dated April 16, 2013. This Amendment reflects the applicable revisions.

Statutory Authority: 10 U.S.C. 2304(c)(1) and FAR Part 8.405-6 (a)(1)(i)(B) only one source and 2(b)(1), brand name justifications

Prepared by: Jason Nuckols 


Contract Specialist
Date: 08/27/2013

Technical/ Requirements: Myriam Anderson 
Tom Niles 

Acting, Chief Enterprise Svc Desk/
Process Improvement Specialist
86131

LEIMG REP Debbie Emory 

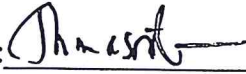
Lead IT Specialist
Date: 8/27/13

PCO: Rita W. Jackson 
Phone: (804) 734-8000 Ext: 48199

Contracting Officer
Date: Aug 27, 2013

Signatures Are Required Below:


REVIEWS: I have reviewed this J&A and find the amended justification adequate to support other than full and open competition.

Requirements: Tom Niles
Signature: 

Process Improvement Specialist
Date: 8/27/13

Legal Counsel: Elliot J. Clark Jr.
(Printed Name)

Signature:  Date: 8/27/13

Director of Contracting Lawrence P. Hahn
Signature: 

Date: 27 Aug 2013

Competition Advocate: Melissa Rios
Signature: 

Date: 8/27/13

AMENDMENT 01
LIMITED SOURCES JUSTIFICATION

CONTROL NUMBER: HQC007-13-38

Purchase Request: HQCAAA-3232-0001

1. **Contracting Office** – Directorate of Contracting, ATTN: LEASI - Information Technology Branch, Defense Commissary Agency, Fort Lee, Virginia

2. **Type of Contract Action** – Issuance of a delivery order against an existing GSA Schedule.

3. **Description of Supplies/Services** – No Change

Period of performance: On or before September 16, 2013 through the life of this version plus one year.

4. **Identification of the justification and the rationale** – This amendment updates page 2, paragraph one, sentence four which deletes “Use of Enterprise Software Agreements (ESA) in its entirety. It also removes from page 3, item 4, sentence two “and DFARS 208.74 Use of ESAs.”

Additional market research conducted through the CHES and GSA contract venues reveals that issuance of a BPA call against the existing ESA agreement would tie DeCA’s to the Department of the Army’s (DA) licenses, they would not take ownership. As with other CHES vehicles the agency is limited to placing its order directly to DA; as such, we lose oversight of our ability to manage our licenses and would be tied to the version that DA is currently utilizing. Additionally, the DA licenses are annually renewable versus utilization of the GSA schedule whereby DeCA may procure the perpetual licenses, take ownership and not be required to renew the licenses annually. They would be good for the life of the current MiniTab16 version. The agency is currently operating two versions behind by being tied into the DCMO office’s licenses.

5. **Determination by the Ordering Activity Contracting Officer that the anticipated order represents the best value consistent with 8.404(d)** - While DeCA does not currently own its MiniTab14 licenses, GSA is offering the agency an upgrade to MiniTab16 software licenses versus an initial software buy. Costs associated with an upgrade are _____ per license versus the schedule price for each new license saving the agency _____ per license.

6. **Market Research** - No change from Approved LSJ dated ~~April 16, 2013~~ August 26, 2013.

7. **Any other facts supporting the justification** – DA advised that they do not allow Department of Defense component activities to issue orders against the CHES BPA as the licenses are procured by DA on behalf of the component. They maintain all oversight and control of the current version being utilized.

8. **Actions to Remove or Overcome Barriers** - No change from Approved LSJ dated August 26, 2013.

9. **Contracting Officer’s Certification** - No change from Approved LSJ dated August 26, 2013.

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.

Thomas O. [Signature]
Technical Representative

8/27/13
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 \$650,000 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: [Signature]

TITLE: Contracting Officer

DATE: August 27, 2013

ALL QUESTIONS REGARDING THIS LIMITED SOURCES JUSTIFICATION ARE TO BE REFERRED TO THE CONTRACTING OFFICER:
Ms. RITA W. JACKSON 804-734-8000 X48199.


JUSTIFICATION REVIEW DOCUMENT



DECA CONTROL NUMBER: HQC007-13-38
PURCHASE REQUEST NUMBER: HQCAAA-3232-0001


Description of Acquisition: This requirement is to purchase the MiniTab 16 software license upgrade and its maintenance support services


Statutory Authority: 10 U.S.C. 2304(c)(1) as implemented by FAR 8.405-6 (a)(1)(i)(B) only one source and 2(b)(1), brand name justifications and DFARS 208.74 Use of Enterprise Software Agreements (ESA).

Estimated Contract one year. for fifteen perpetual licenses, good for lifespan of this version, plus

Prepared by: Jason Nuckols  Contract Specialist
Date: 8/22/2013

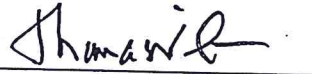
Technical/ Requirements: Myriam Anderson 
Tom Niles  Acting, Chief Enterprise Svc Desk/
Process Improvement Specialist


LEIMG REP: Debbie Emory  Lead IT Specialist
Date: 8/22/2013


PCO: Rita W. Jackson  Contracting Officer
Date: August 22, 2013

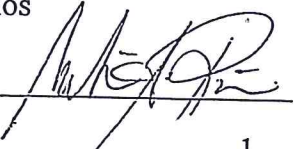
Signatures Are Required Below:

REVIEWS: I have reviewed this J&A and find the justification adequate to support other than full and open competition.

Requirements: Tom Niles Process Improvement Specialist
Signature:  Date: 8/22/13

Legal Counsel: Elliot J Clark Jr
(Printed Name)
Signature:  Date: 22 Aug 2013

Director of Contracting: Lawrence P. Hahn
Signature:  Date: 26 Aug 2013

Competition Advocate: Melissa Rios
Signature:  Date: 8/26/13



Department of Defense
Defense Commissary Agency
Limited Source Justification
(Reference FAR 8.405-6)
General Services Administration Federal Supply Schedule

This acquisition is 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)(1)(i)(B) only one source and 2(b)(1), brand name justifications and DFARS 208.74 Use of Enterprise Software Agreements (ESA).

(1) Agency and Contracting Activity.

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

Requiring Activity: Chief Operating Officer, Performance Office (CPO)
Contracting Activity: Directorate of Contracting, Information Technology Branch (LEASI)

2. NATURE/DESCRIPTION OF ACTION(S). This justification for other than full and open competition will result in award of a fixed priced BPA call against an existing ESA let by the Department of the Navy and offered through the Army Chess (CHESS) venue.

3. DESCRIPTION OF SUPPLIES/SERVICES. Requisition: HQCAAA-3232-0001
This requirement is to purchase a Brand Name upgrade from Minitab14 to MiniTab16 software and its support on a sole source basis for fifteen licenses with perpetual rights. DeCA will have access to the software in perpetuity and technical support for the duration of the current software version, plus one year after end of product life.

Item	Description	Quantity	Type
0001	MiniTab 16 perpetual license (upgrade) from ESL, PN# FPEEM160U to include maintenance support	15	New

Estimated software is perpetual and upgrades/fixes...etc are at no cost until a major version release occurs at which time the agency would determine whether or not to upgrade.

4. IDENTIFICATION OF STATUTORY AUTHORITY.

This acquisition is being conducted under the authority of the Multiple Award Schedule Program in accordance with FAR 8.405-6 limited sources justification and approval and DFARS 208.74 Use of ESAs. In accordance with FAR 8.405-6 (b) (2), the circumstances restricting competition for this acquisition is the upgrade is a logical follow-on as opposed to purchasing a new application and there is only one authorized reseller under an existing ESA agreement capable of fulfilling this requirement. The current product was issued to DeCA through the Deputy Chief Management Office (DCMO) who previously procured the software utilizing the CHESS ESA vehicle.

5. IDENTIFICATION OF JUSTIFICATION RATIONALE.

DeCA evaluated several products and their capabilities as part of our market research for our independent government cost estimate. During this research, we found that many other Department of Defense (DoD) agencies, including every branch of the military services and the DCMO are currently using the MiniTab16 software application. Use of MiniTab16 software is a key component of the DCMO's training program for new Greenbelt (GB), Blackbelt (BB) and Master Blackbelt (MBB) candidates. Using MiniTab16 is necessary to ensure all newly trained GB, BB or MBBs are able to apply their skills fully and ensure consistency of work methodologies across the DoD.

Purchase of any other statistical analysis software would violate the standardization of applications implemented and supported by the DoD's enterprise software initiative (ESI). This would be both ineffective and costly as the agency would not be able to share data files across DoD component organizations, resulting in increased man-hours and delays in effectively improving processes. As good stewards of scarce resources and in the current budget environment, this would not be prudent. By taking advantage of the less costly upgrade, the agency is able to capitalize on new technology, and added capability while minimizing costs and maintaining standardization within the DoD..

6. DETERMINATION OF FAIR AND REASONABLE COST.

In accordance with FAR 8.404, 12.209, 13.106-1 (2), and 14.408-2, I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable. The Price Reasonableness Memorandum detailing the Fair and Reasonable Price Determination will be included in the contract file documentation.

7. MARKET RESEARCH.

In accordance with DFARS 208.74, Use of ESAs, research was conducted through the DoD ESI website. This research indicates that the MiniTab software identified is available through an existing ESA agreement and offered through a CHESS/GSA partnering agreement. As such, no additional market research is required.

8. ANY OTHER SUPPORTING FACTS.

As noted above, MiniTab statistical software is a standard application utilized across the DoD in support of the Blackbelt Program and can be procured in accordance with the ESI mandate. Additionally, DeCA has been successfully utilizing this statistical software for the last four (4) years; as such, procurement of a different software application would not be in the best interest of the Government as it would move the agency from the standardized application to one not currently support in other DoD forums. Additionally, upgrade to the current application is more cost effective than procuring a different application as additional costs would be incurred that include but may not be limited to renewal of annual maintenance support, travel and training expenses.

9. LISTING OF INTERESTED SOURCES.

Proposed Contractor:
MiniTab, Inc.
1829 Pine Hall Road
State College, PA 16801-3210
DoD ESA: NN00104-08-AZF30

MiniTab is a large business concern, the manufacturer and only authorized reseller through the CHESSESA and GSA schedule.

10. Contracting Officer's Certification.

In accordance with FAR 8.405-6(b)(1), 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

August 22, 2013
Date

11. TECHNICAL/REQUIREMENTS CERTIFICATION: "I certify that the supporting data under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief".

TECHNICAL:

NAME: Myriam Anderson

SIGNATURE: Myriam Anderson

TITLE: Chief, Enterprise Service Desk

DATE: 8/22/13

REQUIREMENTS:

NAME: Thomas Niles

SIGNATURE: Thomas Niles

TITLE: Process Improvement Specialist

DATE: 8/22/13

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 \$650,000.00 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: Rita W. Jackson

TITLE: Contracting Officer

DATE: August 22, 2013

ALL QUESTIONS REGARDING THIS JUSTIFICATION AND APPROVAL ARE TO BE REFERRED TO THE CONTRACTING OFFICER
MS. RITA W. JACKSON (804) 734-8000 x48199