

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
JOHN C. STENNIS SPACE CENTER
STENNIS SPACE CENTER, MS 39529-6000**

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1.0 AGENCY/CONTRACTING ACTIVITY

National Aeronautics and Space Administration, John C. Stennis Space Center, Office of Procurement, Stennis Space Center, MS 39529

2.0 DESCRIPTION OF THE ACTION BEING APPROVED

The action to be approved is the sole source award of a Preventative and Corrective Maintenance Contract from Emerson Network Power, Liebert Services, Inc. This requirement is considered to be a commercial item. It is anticipated that this requirement will be provided under a Fixed Price contract.

The period of performance is base period – 1 April 2011 through 31 March 2012; and option year one – 1 April 2012 through 31 March 2013.

3.0 DESCRIPTION

The work to be performed under this requirement shall consist of preventative and remedial maintenance service for critical electrical power and cooling devices provided by this vendor via a separate contracting effort.

The total estimated cost of this effort is approximately \$838,000.00.

4.0 STATUTORY AUTHORITY

This recommendation is made pursuant to FAR 6.302-1, which implements the statutory authority at 10 U.S.C. 2304(c) (1) for the acquisition of services available from only one or a limited number of sources.

5.0 NATURE OF THE ACTION THAT REQUIRES USE OF THE AUTHORITY CITED

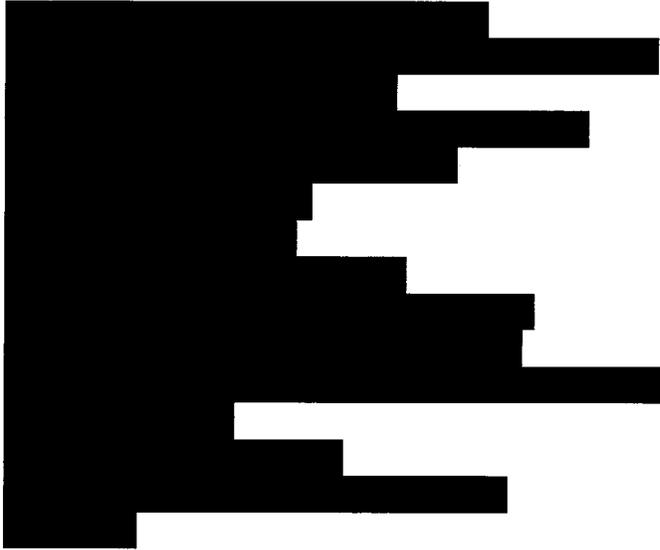
The maintenance contract being sought is required to be performed by the Original Equipment Manufacturer (OEM) because subject equipment provides critical conditioned power and cooling to systems operated by the U.S. Navy, the Department of Transportation (DOT), and the Department of Homeland Security (DHS). These agencies are all running applications which are critical to national security, and NASA is committed to providing uninterrupted service to the systems running these applications 24X7X365 per Annex 1 of their respective RSAA's.

The Navy generates products 24X7X365 which are disseminated to critical Navy activities throughout the department. The dissemination of information from NCCIPS to Navy components is vital to mission success and the Liebert equipment at issue cannot suffer any lapses in power delivery.

The Department of Transportation supports multiple programs, some of which interface with the Department of Homeland Security. Vital information concerning certain entry and exit data for the Department is conveyed daily. Such data also impacts the National Highway Traffic Safety Administration (NHTSA) and movements pertaining to sensitive information.

By far the most critical applications are being run by the Department of Homeland Security.

They include:



We are continually migrating new systems and programs into the data center; however, this is a list of current customers. It would not be prudent to list the functions that these programs support in this document, as many are sensitive if not classified. National security and the protection of vital assets could be jeopardized if these Liebert systems lost power for even brief periods of time. Given the risk to these assets, our customers are not willing to accept any risk. Risk is always present (Acts of God, etc), but in order to minimize risk to our customers who are chartered with protecting our Nation, we choose the OEM to provide preventative and corrective maintenance to our critical power and cooling equipment.

These power and cooling systems are considered proprietary, and as such only the OEM has critical proprietary information regarding their operation, maintenance, potential defects, and associated field changes that may be required in a timely manner. The OEM does not/will not provide Factory Change Notices to third parties so this could result in delay providing critical field changes to our equipment and potentially put our data center at risk. The OEM is sole source manufacturer /service provider and does not support third party organizations with technical back-up or guaranteed parts availability. This could cause delays obtaining critical parts, and jeopardize our (4) hour repair time criteria, potentially putting our data center at risk. The OEM does not recognize any other vendor as "authorized" to service their equipment, and actually states that any other vendor working on their equipment will void any/all warranties and service agreements. We have had to exercise this warranty in the past and have even negotiated free maintenance on several UPS systems which had defective parts. It would be impractical to have two separate vendors (one to service the old equipment, and one to service the new equipment). These new UPS systems become part of the highly-integrated power distribution network of the data center, and as such work together with the old units to both provide filtered power and redundancy in the event of a failure. New UPS systems and Computer Room Air Conditioners (CRAC) will be accepted in years 2011, 2012, and 2013. We wish to maintain the continuity of the Liebert systems that are currently in place at NCCIPS and run the power to the critical operations noted above.

This maintenance strategy will be re-evaluated at the end of this contract period of performance since most if not all of this equipment will be out of warranty at that time. It is for the aforementioned reasons it is in the best interest of the government to allow the OEM of this critical equipment to perform both preventative and corrective maintenance.

6.0 SOLICITATION EFFORTS

A sole source synopsis was published for 14 days on the NASA Acquisition Internet Service (NAIS) and the Government wide point of entry (GPE) (FedBizOpps) expressing our intent to issue a contract for this requirement.

7.0 COST CERTIFICATION

Historical pricing shall be used to determine that the proposed price is fair and reasonable.

8.0 MARKET SURVEY

No others firms responded to the sole source synopsis. These results confirm that Emerson Network Power, Liebert Services, Inc. is indeed the only authorized service provider for the power product line (UPS/Battery, Static Transfer Switch, Power Distribution Units, and Monitoring Products).

10.0 SOURCES EXPRESSING AN INTEREST IN THIS PROCUREMENT

Market Research at this time indicates no other sources are available to provide subject requirement.

11.0 AGENCY ACTIONS TO REMOVE BARRIERS

NCCIPS Program Office will continue to review changing market conditions to ensure all potential offerors are afforded an equal opportunity to provide subject requirement and will perform market research as applicable to satisfy the Competition in Contracting Act. The term of this contract will align with the expiration of the NCCIPS contract on 31 March 2013. The Agency will reevaluate this critical need during the recompetition of the NCCIPS Dedicated Information Technology Support Services.

12.0 TECHNICAL REPRESENTATIVE CERTIFICATION

I do hereby certify that the support data under my cognizance that are included in this justification are accurate and complete to the best of my knowledge and belief. In addition, I certify that the anticipated price to the Government will be thoroughly evaluated to ensure that it is fair and reasonable prior to award.


Peter P. Gruzinskas
Contracting Officers Technical Representative / RA40

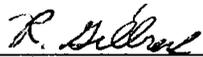
2/14/2011
Date

13.0 APPROVE/DISAPPROVE:

I certify that this justification for other than full and open competition is accurate and complete to the best of my knowledge and belief. I further certify that the anticipated costs to the Government will be determined fair and reasonable prior to award.

SUBMITTED BY: Beth L. Bradley 2-15-11
Beth L. Bradley Date
Contracting Officer and Division Chief / DA20

CONCURRENCE:  2/17/11
Robert S. Harris Date
Procurement Officer / DA00

APPROVAL:  2-22-11
Dr. Richard J. Gilbrech Date
Center Competition Advocate / AA00