

**DEPARTMENT OF THE TREASURY
LIMITED-SOURCES JUSTIFICATION**

This acquisition is conducted under the authority of the Multiple Award Schedule Program (see FAR 8.401)

1. Identification of the agency and the contracting activity:

The requiring activity is the Bureau of the Fiscal Service (Fiscal Service), Administrative & Facilities Services Division, and the contracting activity is Fiscal Service's Division of Procurement Services.

2.a Nature and/or description of the action being approved:

The purpose of this Justification for an Exception to Fair Opportunity is to obtain approval to award a firm fixed-price task order Monongahela Power Company (Mon Power) for the purchase of the Electric Utility Services described in section 3.a below. The need date for these items is 10/01/2024. The Period of Performance (POP) will be for a 12-month Base Period, four (4) 12-month Option Periods.

2.b Name of the vendor. Mon Power

2.c Requisition No.: FSA-30300100-25-001

2.d Bridge contract: Yes No

2.e Brand name: Yes No

3.a A description of the supplies or services required to meet the agency's needs:

The proposed acquisition is to acquire ongoing Electric Utility Services for the 3rd Street and Avery Street Fiscal Service facilities in Parkersburg, WV.

3.b Includes IT: Yes No

4.a Identification of the authority being used (Check the appropriate box that applies).

FAR 8.405-6(a)(1)(i)(A) – An urgent and compelling need exists, and following the procedures would result in unacceptable delays.

FAR 8.405-6(a)(1)(i)(B) – Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized.

FAR 8.405-6(a)(1)(i)(C) – In the interest of economy and efficiency, the new work is a logical follow-on to an original Federal Supply Schedule order or BPA provided that the original order or BPA was placed in accordance with FSS procedures in accordance with the applicable Federal Supply Schedule ordering procedures. The original order or BPA must not have been previously issued under sole-source or limited-sources procedures.

FAR 8.405-6(b) – Items peculiar to one manufacturer. (i.e., Brand Name specifications)

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4.b Supporting Rationale:

FAR Part 41 requires agencies with annual spending over the Simplified Acquisition Threshold (SAT) to use an Areawide Public Utility Contract, if available for the acquisition of utility services. Mon Power holds the sole GSA Areawide Public Utility Contract available to the Parkersburg, WV area (47PA0418D0034).

5. A determination by the ordering activity Contracting Officer that the order or BPA represents the best value consistent with FAR 8.404(d):

The Contracting Officer has determined that the task order represents the best value consistent with FAR 8.404(d) and lowest overall cost alternative considering price to meet the Government's needs based on the IGCE and GSA Areawide Public Utility Contract 47PA0418D0034.

6. A description of the market research conducted among schedule holders and the results or a statement why market research was not conducted:

Contract Specialist Rachel Nonamaker conducted market research in September 2024. AbilityOne and Acquisition Gateway were searched, and no potential sources were identified. GSA.gov was searched for information regarding Areawide Public Utility Contracts. Monongahela Power Company (Mon Power), a First Energy company, has an Areawide Public Utility Contract; 47PA0418D0034. FAR Part 41 requires agencies with annual spending over the Simplified Acquisition Threshold (SAT) to use an areawide public utility contract, if available. It is recommended that the requirement be fulfilled via sole source solicitation to Mon Power against their Areawide Public Utility Contract 47PA0418D0034.

7.a Any other facts supporting this justification:

Fiscal Service has acquired these electric utility services through the following previous awards:

47PA0418D0034 / 2033H620F00015: This was a fixed price task order to Monongahela Power Company against their GSA Areawide Public Utility Contract for Electric Utility Services. The was solicited as a sole source, one bid was received. TCV: \$8,000,000.00. POP: 10/01/2019 – 09/30/2024.

GS-00P-07-BSD-0527 / TFSAFSA16K0002: This was a fixed price task order to Monongahela Power Company against their GSA Areawide Public Utility Contract for Electric Power Service. This was solicited as a sole source, one bid was received. TCV: \$5,000,000.00, POP: 10/01/2018 – 09/30/2020, however Option Period 4 was canceled because the task order had exhausted its ceiling value due to fluctuations in electricity usage.

7.b Attachments: Yes No

8. A statement of the actions, if any, the Requiring Activity and Contracting Activity may take to remove or overcome any barriers that led to restricted consideration before any subsequent acquisition for the supplies and services is made:

The Requiring Activity will conduct market research as necessary to identify a future GSA Areawide Public Utility Contract holder to provide Electric Power Service if there are any changes in the market in the future.

9. Certifications and Approvals:

9.a Program Office Certification (Requiring Activity). I hereby certify that any supporting information and data provided (e.g., the Government's minimum needs or requirements, or other rationale for the limited sources) and which form the basis for this justification for an