DEFENSE LOGISTICS AGENCY
HEADQUARTERS
8725 JOHN J. KINGMAN ROAD
FORT BELVOIR, VIRGINIA 22060-6221

Justification for Other than Full and Open Competition

1. Summary/Introduction:

The Defense Contracting Services Office (DCSO) is the contracting activity. The action is for the purchase of a subscription renewal from Argus Media's Inc. ("Argus") for data services that allows DLA Energy to view and upload market pricing data into DLA Energy's systems to adjust contract prices for fuel supplied by DLA Energy's vendors. This annual subscription covers a 12-month period from October 1, 2026 to September 30, 2027 for DLA Energy. Argus is the sole producer of the proprietary software, therefore it is the sole responsible source for the data required and no other company can fulfill the requirement pursuant to 10 U.S.C.2304(c)(1). The value of the proposed action is [redacted]

2. Nature and/or description of the action being approved (FAR 6.303-2(b)(2)):

The action being approved will be a contract with Argus Media to provide current and historical proprietary price data. Argus Media is the sole producer of Argus Global Markets, Argus Petroleum, Argus US Products and Argus Jet Fuel publications, and therefore is the sole responsible source for the publication, and no other publication is able to fulfill the requirement. DLA Market-BPM uses prices provided by Argus Media in order to evaluate the market and for economic price adjustment (EPA) clauses in fuel contracts. This resultant contract will be a firm-fixed price contract and it will use funds from Fiscal Year 2027 (FY27).

3. Description of supplies or services required to meet the agency's need (including estimated value) (FAR 6.303-2(b)(3)):

Argus Jet Fuel, Argus US Products, Argus Global Markets, and Argus Crude Outlook, Argus OMR Fuels, and Petroleum Argus are publications that provide DLA Energy-BPM with prices for EPA clauses in a number of current DLA Energy fuels contracts. In addition to use for contract price escalation, DLA Energy-BPM evaluates fuel prices against multiple price services in order to determine the best reflection of each market. It is essential for DLA Energy-BPM to have access to multiple independent price sources to determine which source best reflects each market and therefore which escalator clauses to use in the DLA Energy contracts.

This is a recurring requirement. The proposed contract period is from October 1, 2026 through September 30, 2027, which is in line with the current Argus contract SPE604-25-P-9313. Contract SPE604-25-P-9313 was also awarded on the other than full and open basis, pursuant to 10 U.S.C.§ 2304(c)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1.

4. Identification of the statutory authority permitting other than full and open competition (FAR 6.303-2(b)(4)):

Justification for Other Than Full and Open Competition (Cont'd)
(SP4706-26-Q-0021 – ARGUS MEDIA INC)

This J&A is based upon the authority of 10 U.S.C. §2304(c)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1, and more specifically, the authority of FAR 6.302-1(a)(2)(iii). The services sought are highly specialized and available only from the original source for this follow-on contract. Award to a new source would likely result in substantial duplication of cost to the Government this is not expected to be recovered through competition and would result in unacceptable delays in fulfilling the agency's requirements. Argus is the proprietary owner of Argus Jet Fuel, Argus US Products, Argus Global Markets, and Argus Crude Outlook, Argus OMR Fuels, and Petroleum Argus and no other source can provide access to these publications without Argus' approval, no other product or service would satisfy DLA Energy's need. Therefore, in accordance with

5. Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (FAR 6.303-2(b)(5)):

[redacted] Some DLA Energy contractors only use Argus Media's data and refuse to use other sources of price adjustment data, therefore, it would negatively impact competition for fuel contracts if DLA Energy did not have access to this data. Having both subscriptions ensures DLA Energy uses the best available and most comprehensive information to adjust contract prices.

6. Description of the efforts made to ensure that offers are/were solicited from as many potential sources as is/was practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies (FAR 6.303-2(b)(6)):

Argus Media provides proprietary data is not available via any other sources.

7. Determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable (FAR 6.303-2(b)(7)):

The contracting officer finds that the proposed price is fair and reasonable using the techniques in FAR 15.404-1. Pursuant to FAR 15.404-1(b)(2)(ii), the contracting officer may make a "[c]omparison of proposed prices to historical prices paid, whether by the Government or other than the Government, for the same or similar items. The contracting officer may also, pursuant to FAR 15-404-1(b)(2)(vii), make a "[a]nalysis of data other than certified cost or pricing data (as defined at 2.101) provided by the offeror."

Last year, DLA Energy paid [redacted] for its subscription to Argus US Products and Argus Jet Fuel. The proposed price of [redacted] is consistent with last year's price when standard inflation is considered and there are no changes in the services requested, i.e., increases in number of users.

Justification for Other Than Full and Open Competition (Cont'd)
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8. Description of the market research conducted and the results or a statement of the 43

The customer conducted market research and determined Argus Media was the only source that met the government's requirement. Additionally, the customer identified another source that provided similar information, however the pricing is not identical and there was not 100% overlap for the markets serviced by DLA Energy. Therefore, DLA Energy contracts with both sources.

9. Any other facts supporting the use of other than full and open competition, such as (FAR 6.303-2(b)(9)):

(i) Explanation of why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition have not been developed or are not available.

The information provided by Argus Media is proprietary and; therefore, we are unable to develop a specific purchase description that would satisfy the requirements.

(ii) When 6.302-1 is cited for follow-on acquisitions as described in 6.302-1(a)(2)(ii), an estimate of the cost to the Government that would be duplicated and how the estimate was derived.

No applicable.

(iii) When 6.302-2 is cited, estimated cost, or other rationale as to the extent and nature of the harm to the Government.

Not applicable.

10. A listing of the sources, if any, that expressed, in writing, an interest in the acquisition (FAR 6.303-2(b)(10)):

No new sources are able to satisfy the acquisition.

11. Actions that may be taken to remove or overcome barriers to competition before any subsequent acquisition for the supplies or services are required (FAR 6.303-2(b)(11)):

There are no known actions that will allow DLA Energy to overcome the competition barriers.