DEFENSE LOGISTICS AGENCY
HEADQUARTERS
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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 Oil Price Information Service, LLC ("OPIS") 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 July 1, 2026 to June 30, 2027 for DLA Energy. OPIS 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 (RFO FAR 6.303-2(b)(2)):

The action being approved will be a contract with OPIS to provide data that is fed into DLA Energy's EBS, a system used for ordering, invoicing and payment on contracts for fuel to DLA Energy customers. This action will use FY26 funding.

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

OPIS provides data and associated services monitoring and analysis of electronic prices of refined petroleum products such as gasolines, diesel fuels and heating oils at more than 400 locations across the U.S. OPIS converts the data to a format that feeds directly into DLA Energy's Enterprise Business System (EBS) a large SAP-based system integrating financial and supply chain operations. These services provide critical support in DLA Energy's ability to load published prices used in a number of fixed-price with economic price adjustment fuel contracts into EBS. OPIS uses proprietary methods to collect and publish its pricing data. The estimated value is [redacted]. This is a follow-on action to contract SPE604-25-P-9311 awarded on 18 June 2025 for the period 01 July 2025 to 30 June 2026. DLA Energy has contracted to use OPIS's services for over thirty years. The services provided are commercial.

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

The statutory authority permitting other than full and open competition is 10U.S.C. 2304(c)(1), as implemented by RFO FAR Part 6.302-1(a)(2): "When the supplies or services required by the

agency are available from only one responsible source, or for DoD, NASA, and the Coast Guard, from only one or a limited number of responsible sources, and no other supplies or services will satisfy agency requirements." OPIS is the only source able to provide the unique data services that allows DLA Energy to receive electronic fuel rack pricing data agreed to by DLA Energy and its contracted partners delivering fuel to DLA Energy customers. The data provided includes the required security protocol that allows the data to be fed via File Transfer Protocol (FTP) directly into DLA Energy's EBS. Further, OPIS is the only source able to provide these data services in conformance with DLA's mandatory IT security compliance policies. Therefore, in accordance with 10 U.S.C. 2304(c)(1), OPIS is the only source that can meet this specific agency requirement.

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

OPIS provides data services that allow DLA Energy to receive electronic pricing feeds directly into DLA Energy's SAP based EBS in the format required by the system. Further, OPIS is the only source able to provide these services in compliance with DLA's mandatory IT security policies. DLA Energy currently has a contract with OPIS to receive this proprietary fuel pricing data that are used to adjust contract prices in numerous DLA Energy fuel contracts. Without these services, DLA Energy would not be able to receive electronic pricing data that would interface with its computer systems due to the security encryption protocol requirements outlined in DLA's security compliance policies.

If DLA Energy could not continue receiving OPIS price data, it would create a significant administrative burden and likely result in a reduction in competition and higher prices on fuel contracts. DLA Energy contracts for the continental U.S. (CONUS) Direct Delivery contracts are for three-year periods. Currently there are over 1,500 CLINS using OPIS prices to adjust prices on a daily basis. Should OPIS prices not be available, research on suitable replacements would have to be performed, agreed to by vendors, and modifications executed for each CLIN. Vendors submit offers based on aligning their cost of product with the price they receive from DLA Energy. Changing the method of price adjustment may result in altering vendor calculations mid-contract and result in inclusion of risk premiums when offering on future solicitations. Accordingly, this could result in fewer offers and a reduction in competition for DLA Energy Direct Delivery solicitations.

OPIS has provided timely and effective customer service [redacted]. If a third party were to be awarded a contract, adding an extra layer of customer service could result in delays that would impact pricing of orders and invoices and delays in delivery of fuel to DLA Energy customers.

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 (RFO FAR 6.303-2(b)(6)):

In previous procurement cycles for this requirement, DLA Energy-FEA posted intent-to-sole source notices on SAM.gov. No additional sources have expressed interest in the past. DLA Energy will defer to DCSO as to how to proceed with this procurement cycle as DLA Energy is not familiar with DCSO practices.

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

The contracting officer finds that the proposed price is fair and reasonable using the techniques in RFO FAR 15.404-1. Pursuant to RFO 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 RFO FAR 15.404-1(b)(2)(iv), make a "[c]omparison with competitive price lists, published market prices of commodities, similar indexes, and discount or rebate arrangements." [redacted] Therefore, the Contracting Officer determines the prices fair and reasonable when compared to the pricing data provided by the offeror.

8. Description of the market research conducted and the results or a statement of the reason market research was not conducted (RFO FAR 6.303-2(b)(8)):

The customer conducted market research by querying potential suppliers to determine which, if any, could provide pricing for various fuels that DLA Energy provides to its customers and has been deemed acceptable across industry. Research revealed that OPIS is one of two companies that are capable of providing the required comprehensive terminal truck-loading rack type data that is accepted and used by both the commercial industry and DLA Energy. DLA Energy also has a current contract with AXXIS Software LLC, the only other capable source. OPIS is a subset of AXXIS offering a unique sourcing of data that cannot be acquired through any other source.

For the current contract with OPIS an Intent-to-Sole-Source was posted to SAM.gov on May 6, 2025; this Notice closed on May 21, 2025. One source [redacted] indicated they could provide OPIS or an alternative to OPIS through their platform at a lower rate but provided no

further information. OPIS indicated they do not sell their subscription to third parties. Additional market research was performed, and it was determined that [redacted] would not be able to acquire the technical capabilities required to fulfill this requirement. Therefore, it was determined that [redacted] could not fulfill this requirement and that OPIS is the only source available to meet DLA Energy's needs at this time.

9. Any other facts supporting the use of other than full and open competition, such as (RFO 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.

Purchase Descriptions suitable for full and open competition are not available. The information provided by OPIS is proprietary and not sold for third party resale. Therefore, we are unable to develop a specific purchase description that would satisfy the Government's requirements.

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

Not applicable

(iii) When RFO FAR 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 (RFO FAR 6.303-2(b)(10)):

For the current contract with OPIS an Intent-to-Sole-Source was posted to SAM.gov on May 6, 2025; this Notice closed on May 21, 2025. One source [redacted] responded to the Intent-to-Sole-Source Notice on May 07, 2025. [redacted] indicated they could provide OPIS or an alternative to OPIS through their platform at a lower rate but provided no further information. OPIS indicated they do not sell their subscription to third parties. Additional market research was performed, and it was determined that [redacted] would not be able to acquire the technical capabilities required to fulfill this requirement. Specifically, they could not meet the requirements for formatting the data for FTP delivery. No other sources have written to express interest.

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

Justification for Other Than Full and Open Competition (Cont'd)
OPIS, LLC

For the reasons set forth in Paragraph 5, DLA has no plans at this time to compete future contracts for the types of supplies/services covered by this document. If another potential source emerges, DLA will assess whether competition for future requirements is feasible.

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

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION
I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein are complete and accurate to the best of my knowledge and belief.

Technical/Requirements Cognizance:

Signature	[redacted] Name	[redacted] Phone No.

CONTRACTING OFFICER CERTIFICATION
I certify that this Justification is accurate and complete to the best of my knowledge and belief.

Signature	[redacted] Name	[redacted] Phone No.