

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION FOR  
SERVICES TO BE PURCHASED UNDER AUTHORITY 10 USC 2304(c)(1)**

**Axxis Petroleum Inc  
SP0600-09-C-5918**

**1. Introduction:**

The Defense Energy Support Center (DESC), a subcomponent of the Defense Logistics Agency, is the acting contracting activity for DESC-RN. The action being approved is the purchase, on an other than full and open competition basis, the 2009 renewal subscription of Price History Data Warehouse License Fee from Axxis Petroleum, Inc. (Axxis), an OPIS Company. The estimated dollar value for the yearly subscription is \$101,000.00.

**2. Description of Agency's Need (10 U.S.C. 2304(f)(3)(A)):**

This requirement is the annual renewal of Axxis price service subscription, which includes Price History Data Warehouse License Fee, maintenance and support, as well as installation and implementation on DESC's computer systems. Axxis is one of three commercial price references that DESC uses, with OPIS and Platts being the others.

DESC-RN uses historical pricing data to calculate past trends for comparisons when choosing between two escalators or when bidders bid based on different escalators. DESC-RN selects escalators by comparing historical pricing to Energy Information Administration (part of the U.S. Department of Energy) data.

**3. Authority for other than Full and Open Competition (10 U.S.C. 2304 (F)(3)(B)):**

The statutory authority permitting other than full and open competition is 10 U.S.C. 2304(c)(1), as implemented by FAR 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements." DESC requires the most accurate escalators. DESC-RN tests the accuracy of escalator references prior to their use in a solicitation, thus DESC must subscribe all three data providers (OPIS, Platts, and AXXIS). For some cities and products, analysis shows that AXXIS is the best reference, while in others, Platts or OPIS is the better reference. Currently, DESC uses AXXIS for solicitations in the following cities: New Haven, CT; Albany, NY; Pittsburgh, PA; Altoona, PA; Huntington, IN; Chicago, IL; Lexington, KY; Charleston, WV; Portland, ME, El Dorado, AR; Memphis, TN; Miami, FL; Tampa, FL; Jacksonville, FL; Atlanta, GA; Savannah, GA; Vicksburg, MS; Meridian, MS; Kansas City, KS; St. Louis, MO; Cape Girardeau, MO; Wilmington, NC; Savannah, GA; Spartanburg, SC; Chicago, IL; Sioux Falls, SD; Corpus Christi, TX; Omaha, NE; Kansas City, MO; Sunray, TX; Los Angeles, CA; Salt Lake City, UT; Missoula, MT; Portland, OR; Anacortes, WA. AXXIS data is used exclusively for #1 diesel in Bloomfield, NM; Newark, NJ; and Baltimore, MD.

Axxis Price History Data Warehouse provides a quick reporting tool on numerous cities and refinery petroleum products.

Therefore, in accordance with FAR 6.302-1 Axxis is the only responsible source and no other supplies or services will satisfy agency requirements.

4. Price/Cost Considerations (10 U.S.C. 2304 (f)(3)(C)):

The Contracting Officer anticipates determining the price offered by Axxis to be fair and reasonable based on market research for the same or similar items in accordance with FAR 15.404-1 (b)(2)(iv), comparison with competitive published price lists, published market prices of commodities, similar indexes, and discount or rebate arrangements.

5. Market Research/Efforts to Obtain Competition (10 U.S.C. 2304 (f)(3)(D)&(E)):

Axxis Price History Data Warehouse. is the only source available to meet DESC's needs at this time due to their level of expertise. Additionally, DESC will continue to monitor the industry to see if other companies are able to provide the required items on future needs. No other sources have expressed interest in the requirement.

6. Actions Being Taken to Overcome Barriers to Competition (10 U.S.C. 2304 (f)(3)(F)):

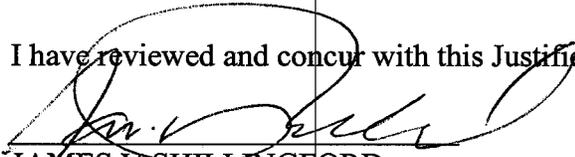
Due to the nature of the subject requirement, no action needs to be taken at this time. As new companies emerge, DESC will continue to monitor the market for other potential sources.

I hereby certify that the information contained in this justification is accurate and complete to the best of my knowledge and belief.

  
CHRISTINE A. HOPPER  
Contracting Officer

Apr 17, 2009

I have reviewed and concur with this Justification.

  
JAMES V SHELLINGFORD

Acting Division Chief Domestic Storage and Services

Date: 4/17/09

I hereby certify that the data which forms the basis for this justification is accurate and complete, and that the purchase request covers only the minimum requirements to satisfy the needs of the Government.

  
THOMAS RASMUSSEN

Chief-Market Research

DESC-RN

Date: 4/17/09