

CONTROLLED UNCLASSIFIED INFORMATION

Sole Source (Including Brand Name) Justification - Simplified Procedures for Certain Commercial Items

NOTE: If a Justification was approved for the preceding acquisition, a copy of the approved Justification for the predecessor action must be included in the staff package for approval of the instant Justification. This applies to Justification staff packages that are submitted for review and approval at a level above the contracting officer. The predecessor Justification will be used as a reference document by the approving official.

Is this a new or amended J&A Document? ☒ New ☐ Amended (Prior to Award Only!)

Is this a Bridge Action as defined in the [AF Bridge Action Reduction Plan](#)? ☐ Yes ☒ No

Funding level for this acquisition: ☐ >SAT and ≤ \$750K ☐ > \$750K and ≤ \$15M

Contracting Activity: 375 Contracting Squadron (CONS/PKB1)

Purchase Request / Local ID Number: F3S3523115A001

Program / Project (and PE, if applicable): 375 CES / Repair Boiler @ Wastewater Treatment Plant

Program Type (PEO or Other Contracting): Other Contracting

Authority: ☒ AFFARS 5313.501 - 10 U.S.C. 3572, Implementation of Simplified Acquisition Procedures (41 U.S.C. 1901)

☐ AFFARS 5313.501 - 10 U.S.C. 3403, Special Emergency Procurement Authority (41 U.S.C. 1903)

Estimated Contract Cost (including options): [REDACTED] Justification Type: ☐ Class ☐ Individual

COORDINATION ([AFFARS 5306.304\(a\)](#))

Date	Contracting Officer	Signature
15 Jun 2023	Brandon M. Katka 375 CONS/PKB1, 618-578-1131	KATKA.BRANDON.MICH [REDACTED] AEL.1076773331

[APPROVAL \(AFFARS 5306.304\(a\)\)](#)

NOTE: A signature block will appear here based on the funding level selected above.

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I. Contracting Activity.

375 CONS, 201 East Winters Street Bldg 50, Scott AFB, IL. 62225

II. Nature and/or description of the action being processed.

375th CONS intends to solicit, compete, and award a new brand name only (BNO), firm fixed price (FFP) purchase order via a public notice/solicitation for Honeywell Maxon boiler parts . This acquisition will be a Small Business set-aside for the 375 Civil Engineering Squadron under the North American Industry Classification (NAICS) code 238220. This requirement is for products unique to one manufacturer. Only the Original Equipment Manufacturer (OEM) or their certified resellers can provide the required equipment.

III. Description of supplies/services required to meet agency needs.

The 375th CONS intends to acquire brand-name only Honeywell Maxon Boiler parts to repair the boiler in place to meet the parameters of the Illinois EPA permit requirements to keep the sludge in the digesters within specified temperatures at the WWTP. The PoP on this requirement is from 15 July 2023 - 15 August 2023.

The total estimated dollar value of this acquisition is based on the mission partner's Independent Government Cost Estimate (IGCE). The IGCE is based off of market research pricing information obtained from Evoqua Water Technologies. Transportation Working Capital Funds (TWCF) will be utilized for this order.

The following is a breakdown by Contract Line Item (CLIN). This requirement includes the two (2) page Statement of Work to be included with solicitation.

There is one Contract Line Items (CLIN)

The anticipated CLIN structure is as follows:

CLIN	Description	Quantity	Extended Cost
0001	WWTP Boiler Repair Equipment (Honeywell Maxon) and Labor	1 Lot	

Total Estimated Cost:

Purchase request #F3S3523115A001 funds for this effort was received on 22 May 2023 in the amount of

IV. Statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is FAR 6.302-1 - Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirement IAW 10 U.S.C 3204(a)(1) as well as AFFARS 5313.501 - 10 U.S.C. 3572, Implementation of Simplified Acquisition Procedures (41 U.S.C. 1901).

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V. Demonstration that the contractor's unique qualifications or nature of the acquisition requires the use of the authority cited above (applicability of authority).

For the following reasons, the Honeywell Maxon brand name only items are unique and highly specialized to this acquisition:

To start, it should be noted that the environment where this boiler is located is a corrosive environment due to the higher concentrations of methane. In that type of environment, the boiler has explosion proof features to prevent from any sort of disaster. However, if the parts procured are not specific to the model that is in place, potential catastrophic issues down the road could be foreseen and those issues could be prevented by simply buying the unique and highly specialized Honeywell Maxon parts needed for this requirement.

Further, this boiler is detrimental to the digester which breaks down the sludge to be land applied. If the bacteria in the digester is not maintained within the 93-98 degree range the bacteria will begin to die off causing the digester to foam out the top resulting in a possible EPA violation which negates the reason for this requirement. EPA violations can result in fines and these fines could be prevented simply by procuring this unique parts which allow the boiler to function properly.

VI. Description of efforts made to ensure that offers are solicited from as many potential sources as practicable.

To find possible vendors, AbilityOne, ESI, & GSA were checked to see if our mandatory sources could service the requirement; however, as documented in our Market Research folder, 375 CONS was unable to find any vendors from those sources who could provide the necessary products and services required to fulfill this request.

VII. Determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

It is the determination of the Contracting Officer that the anticipated cost to the Government will be fair and reasonable for this acquisition because more than one offer is expected to be received. Further FAR 13.106-3(a) - Basis for Award practices will be utilized when determining price fair and reasonable.

VIII. Description of the market research conducted and the results, or a statement of the reasons market research was not conducted.

A vendor search using the Dynamic Small Business Search tool by the Small Business Administration (SBA) was used. The vendor search was restricted to vendors within the 618 area code in Illinois with active SAM registration under the NAICS code 238220 (Plumbing, Heating, and Air-Conditioning Contractors). The results yielded 37 results and included businesses that have done work on Scott AFB such as Davinroy Mechanical Contractor, Inc. and Haier Plumbing & Heating, Inc. Further, the Scott Air Force Base MACC and MAPC IDIQs possess small business contractors that could complete this job; therefore, they will be notified of the opportunity to fulfill this requirement.

IX. Any other facts supporting the use of Other Than Full and Open Competition.

None.

X. List of any sources that expressed, in writing, an interest in the acquisition.

Not applicable. No sources sought was conducted on this requirement.

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XI. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before making subsequent acquisitions for the supplies or services required.

Prior to any subsequent acquisition for Honeywell Maxon boiler parts, market research will be accomplished to determine if there are any additional products that can meet the needs of the Government and remove the barriers to competition.

XII. Certification by the Contracting Officer.

As evidenced by my signature above, I have determined this document to be both accurate and complete to the best of my knowledge and belief.

XIII. Certification by the technical/requirements personnel.

As evidenced by my (our) signature(s) above, I (we) certify that any supporting data contained herein, which is my (our) responsibility, is both accurate and complete.

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Specific Guidance for Completing this Template

I. Contracting Activity. ([FAR 6.303-2\(b\)\(1\)](#))

Fully identify the contracting agency and organizational activity responsible for the proposed contracting action.

II. Nature and/or description of the action being processed. ([FAR 6.303-2\(b\)\(2\)](#))

State whether the action will be awarded as a new contract or by modification to an existing contract (identify contract number) and identify the type contract planned ([FAR 12.207](#) and [DFARS 212.207](#)).

An individual Justification cannot be used to support more than one contract irrespective of the quantities or the dollar value stated therein. If a proposed contract will contain unpriced options (including NTE prices), those options must be supported by a separate Justification prior to option exercise or the Justification supporting the basic contract must be a Class Justification. For Class Justification situations (covers more than one contract) where the number of contracts in the class can be identified: (1) Provide a brief general description of actions; (2) identify the supplies and services that are being acquired; and (3) for each contract in the class identify the contractor, estimated value, type of contract and rationale for contract length, and estimated award date. Where the same information applies to more than one contract within the class, it need only be stated one time.

III. Description of the supplies/services required to meet agency needs. ([FAR 6.303-2\(b\)\(3\)](#))

Specifically describe the supplies and/or services to be acquired, the total estimated value of the acquisition - including options (provide cost estimate by year and, for class Justifications, by contract action), and the estimated delivery dates/periods of performance. If commodities are being procured, provide quantities. All contract line items (CLIN) -- e.g., technical data, support equipment, support services, etc. -- should be listed. If all of the ancillary requirements associated with a particular item are not specifically described in the Justifications, those ancillary requirements cannot be included in the resulting contract and would require a second Justification. Also, state the type of appropriation (e.g., 3010, 3400) that will be used to fund each requirement listed.

If approval for more than one fiscal year requirement is needed, give the rationale for this request. Generally, the scope of these actions is limited to current requirements only, so that actions may be taken to facilitate competition for out-year requirements.

In some cases, there are no feasible actions that could develop future competition, and it is reasonable to seek approval for more than one fiscal year's requirements.

For ID/IQ or requirements contracts, use the maximum dollar value of the total estimated orders as the estimated Justification dollar value.

IV. Statutory authority permitting other than full and open competition. ([FAR 6.303-2\(b\)\(4\)](#))

- ☒ AFFARS 5313.501 - 10 U.S.C. 3572, Implementation of Simplified Acquisition Procedures (41 U.S.C. 1901)
- ☐ AFFARS 5313.501 - 10 U.S.C. 3403, Special Emergency Procurement Authority (41 U.S.C. 1903)

V. Demonstration that the contractor's unique qualifications or nature of the acquisition requires the use of the authority cited above (applicability of authority). ([FAR 6.303-2\(b\)\(5\)](#))

Provide, in narrative form, a detailed explanation supporting and clearly relating to the conditions described by the FAR for using the particular authority cited. This section is normally the most detailed part of the justification as the essence of the justification is presented here. For acquisitions that include both supplies and services, separately justify the use of the authority for the services and supplies.

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Contracting without providing for full and open competition **shall not** be justified on the basis of lack of advance planning by the requiring activity or concerns related to the amount of funds available (e.g., funds will expire) ([10 U.S.C. 3204](#))

VI. Description of efforts made to ensure that offers are solicited from as many potential sources as practicable. ([FAR 6.303-2\(b\)\(6\)](#))

Describe all efforts taken (or to be taken) to ensure that offers are solicited from as many potential sources as practicable under the circumstances. Although Market Research is covered in Section VIII, the information in Section VI should correlate with the Market Research described in Section VI. The following issues should be addressed in this paragraph:

Sources Sought Synopsis (used as part of market research). If a sources sought synopsis was issued, state the date the synopsis was issued and a brief description of its content. If any responses were received, describe in detail the results of the screening process and the rationale for determining the unacceptability of any synopsis respondents. Reference [FAR 13.105](#), Synopsis and Posting Requirements.

Other Actions. In this paragraph, discuss any other actions taken or planned to facilitate competition for **this** acquisition. The discussion should include actions tried or considered even if the actions were unsuccessful. If the efforts were unsuccessful, so state and describe why.

Qualifying Country Sources. If qualifying country sources have expressed interest, but are to be excluded, provide supporting rationale.

VII. Determination by the Contracting Officer that the anticipated cost to the government will be fair and reasonable. ([FAR 6.303-2\(b\)\(7\)](#))

Include a statement by the contracting officer that the anticipated cost will be considered fair and reasonable and provide the basis for this determination. The steps that will be taken to ensure the final contract price will be fair and reasonable are also described here. Describe the extent of cost or price analysis anticipated including the requirements for certified cost or pricing data, technical evaluations, and audits.

VIII. Description of the market research conducted and the results, or explain why market research was not conducted. ([FAR 6.303-2\(b\)\(8\)](#))

Generally, some form of market research should be conducted. Discuss any market research conducted pursuant to [FAR Part 10](#) and describe results of that research. Market research is any effort undertaken to determine if sources capable of satisfying the agency's requirements exist and to determine if commercial items or non-developmental items are either available or can be modified so that they will satisfy the agency's needs. Market research should be focused not only on identifying alternate sources, but also on alternate equipment or substitutes that might fulfill the Government needs with only minor modification. Regardless of the approach used, the results should provide a high level of confidence that no other qualified sources exist.

When other exceptions from the requirement to obtain full and open competition are relied upon, the market research might be limited to an examination of the acquisition history and experience with the marketplace under previous acquisitions for the same or similar items.

If no market research was conducted, so state and provide the rationale.

IX. Any other facts supporting the use of Other Than Full and Open Competition. ([FAR 6.303-2\(b\)\(9\)\(i\)](#))

Provide any other facts supporting the use of other than full and open competition, including an explanation of why technical data packages, specifications, engineering descriptions, statements of work, statements of objectives, or purchase descriptions suitable for full and open competition have not been developed, are not being developed, are not being used, or are not available.

X. List of sources, if any, that expressed interest in the acquisition. ([FAR 6.303-2\(b\)\(10\)](#))

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If a sources sought synopsis was done and all interested sources are included in Section VI, it is acceptable to state, "See Section VI above."

XI. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before making subsequent acquisitions for the supplies or services required. ([FAR 6.303-2\(b\)\(11\)](#))

*Describe any actions taken or to be taken to foster competition for **future** acquisitions of the supplies or services being acquired. Describe potential actions that could be taken to remove the barriers to competition that have been identified in the justification and include a milestone schedule, where available, for accomplishing these actions. For example, if a follow-on competitive acquisition is planned, so state and provide the planned award date, or state that the Government will attempt to acquire rights in technical data and computer software sufficient to compete follow-on acquisitions as a priced option in the contract action that is the subject of this Justification, or (if applicable) state how the Government intends to challenge nonconforming markings on technical data and computer software delivered to it under previous contracts so those markings can be removed in order that the technical data and computer software may be used in support of a follow-on competitive acquisition, or describe plans to qualify additional sources.*

Address efforts to ensure competition for future spare parts and maintenance in support of systems or equipment covered by the justification, even when these acquisitions will be accomplished by other organizations. Include a discussion on available breakout data.

If no actions are planned, so state and provide reasons. If approval is sought for more than one year, explain why a sole source effort is required for the planned time duration.

For a non-competitive follow-on acquisition to a previous award for the same supply or service supported by a Justification citing the same authority, include a discussion of the actions planned to overcome barriers to competition established in the previous justification, the status of those actions, and the results of those actions. The approval authority shall determine whether the planned actions were completed. If the planned actions were not completed, the justification for the follow-on acquisition shall be approved by the approval authority one-level above the approval authority for the previous justification (see [FAR 13.501\(a\)\(2\)](#)). If the previous justification was approved by the Senior Procurement Executive (SPE), the approval remains at the SPE level.

[\[DFARS 213.501\(a\)\]](#) and [\[DFARS PGI 206.304\(a\)\(S-70\)\(ii\)\]](#)

XII. Certification by the Contracting Officer. ([FAR 6.303-2\(b\)\(12\)](#))

As evidenced by his/her signature, the contracting officer has determined this document to be both accurate and complete to the best of his/her knowledge and belief.

XIII. Certification by the technical/requirements personnel. ([FAR 6.303-2\(c\)](#))

As evidenced by their signatures, the technical and/or requirements personnel have certified that any supporting data contained herein, which is their responsibility, is both accurate and complete.
