

J&A #:

USE OF OTHER THAN FULL AND OPEN COMPETITION SAP

1. Identification of Agency and Contracting Activity

NAVSUP FLCJ

Solicitation Issued

2. Nature and/or Description of the Action Being Approved

3. Description of Supplies/Services to Meet the Agency's Needs Including Estimated Value

Three (3) 7K Hydro Lances - KMT Aqua-Dyne Series 50 Triplex Positive Displacement, Plunger Pump Systems - TRPLX UNIT-BMX 25/50 50H10K7.3GC480VFD. Used to remove Heat Exchanger fouling. Required source is APS Aqua-Dyne Shape Technologies Group. Cost is \$167,972.70

Requested Delivery date 4/8/23.

Is the requested material or service represents the minimum requirements of the Government Estimated Dollar?

Estimated Dollar Value:

FY/Option/Ordering Period	OM&N	OPN	RDT&E
0.00	0.00	0.00	0.00
Subtotals	0.00	0.00	0.00
		Total	0.00

4. Statutory Authority Permitting Exception to Fair Opportunity

Select Statutory Authority

Select 2nd Statutory Authority

Additional Information Regarding Statutory Authority if Applicable

Procurement Request/Solicitation/Purchase Order Number:

Control Number:

I. Background

1. FAR 13.106-1(b)(1)(i) states for purchases not exceeding the simplified acquisition threshold, Contracting Officers may solicit from one source if the Contracting Officer determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, brand-name or industrial mobilization).
2. As required by FAR 13.106-3(b)(3)(i), this memorandum explains the absence of competition for this acquisition, as only one source will be solicited for this requirement (or for a portion of the requirement) and the requirement is not expected to exceed the simplified acquisition threshold.

II. DESCRIPTION OF ITEM OR SERVICE

Provide a description of the item or service required, to include its intended use, the name of the required source or brand name, the estimated cost/price, and the required delivery date/period of performance

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III. THE DETERMINATION FOR USE OF OTHER THAN FULL AND OPEN COMPETITION IS BASED ON THE FOLLOWING:

A. ONLY ONE RESPONSIBLE SOURCE

1. Restrictive Rights

The source has established proprietary rights, limited rights in data, patent rights, copyrights or secret processes in the item or service required.

2. Exclusive Licensing Agreements

The item or service is only available from the Original Equipment Manufacturer (OEM), or there is only one authorized distributor or technical representative for the OEM.

3. Other Reasons

Provide details on mission impact if requirement is not solicited from only one source

B. BRAND NAME

Yes

Item required must be a brand name product, or feature of a product, particular to one manufacturer. Discuss why you are precluding consideration of a product manufactured by another company. Describe how the particular brand name, product, or feature is essential to the Government's requirements and why a "brand name or equal" purchase description cannot be used (see FAR 11.104). Describe how market research indicates other companies' similar products or products lacking the particular feature do not meet, or cannot be modified to meet, the agency's needs

These Hydro Lances are essential equipment and procurement of them is MISSION ESSENTIAL. TRKFB currently has submarines that have excessive hard fouling on their Engine room Freshwater Heat Exchangers and Main Condenser that is resulting in failure in the Main Condensers Performance tests without these units. There has been a decline in heat exchanger cleanliness and heat transfer efficiency on the waterfront due to a buildup of scaling overtime not able to be removed by older, lower pressure units. These new rigs improve the overall heat exchanger health across the waterfront by utilizing the full range of pressure and to prevent timely re-work due to failed cleanliness inspections. Beginning in calendar year 2022, TRF was required to conduct condenser inspections per the revised NAVSEA requirements, including the use of new technology inspection equipment that requires the condenser tubes to be significantly cleaner than our current cleaning equipment is capable of. One of the Naval Shipyards that currently conducts this advanced inspection dealt with this issue while transitioning to the new inspection method and based on their experience, they recommended purchasing new, higher pressure hydro lance equipment. TRF Kings Bay purchased 4 units in 2022 and they have been used to meet the mission requirements, but now there is a higher demand and three more are needed. These units have allowed TRF to be able to meet NAVSEA requirements and prevent work stoppages and ensure mission readiness by being able to maintain heat exchanger cleanliness requirements. We have already reached out to NAVFAC and they are unable to support which makes the purchase essential. Brand specific is required due to the command already has 4 of these units and all necessary equipment from this brand and they connect properly to the boats and command and boat personnel have been trained on these specific units. So far, no other brands are known of, but changing brands can cause delays in use due to unable to connect to boat properly and lack of training and ultimately can effect the heat exchangers, boat schedule and the mission.

C. UNUSUAL AND COMPELLING URGENCY

No

The supplies or services are of such unusual and compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals. Urgent requirements are supplies or services that will result in a work stoppage, or are mission critical and the routine processing time would result in injury to the Government. The determination that the procurement for the above item/service is an urgent and compelling requirement is based on the following:

Discuss why you are precluding consideration of a product manufactured by another company. Describe how the particular brand name, product, or feature is essential to the Government's requirements and why a "brand name or equal" purchase description cannot be used (see FAR 11.1014). Describe how market research indicates other companies similar products and products lacking the particular feature do not meet, or cannot be modified to meet, the agency's need.

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1. Date on which the requirement was first identified: 02/02/2023

2. Required delivery date/period of performance: 04/07/2023 to 04/07/2023

3. Explanation of why delivery/commencement of services by the date mentioned above is required: Explain the impact to the mission if the date above is not met, any special circumstances or conditions that exist which validate the requirement as "urgent," estimated production lead time for the item, etc.

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4. If appropriate, include any additional pertinent information:

We performed a google search and a GSA search and Aqua-Dyne Shape Technologies Group was the only vendor that we found that has a product to meet our needs and provided a quote. Other commands, PSNS and NNSY, have purchased these units from this vendor as well.

CERTIFICATIONS/APPROVALS:

TECHNICAL CERTIFICATION			
Technical Cognizance			
			
Requirements Cognizance			
			
CONTRACTING OFFICER CERTIFICATION			
Contracting Officer's Signature			
			
LEVEL ABOVE CERTIFICATION			
Division Director or Above			
			
LEGAL SUFFICIENCY REVIEW			
Legal Sufficiency Review			
Signature	Name	Phone	Date
HEAD OF CONTRACTING ACTIVITY APPROVAL			
HCA Approval			

Signature

Name

Phone

Date