

USE OF OTHER THAN FULL AND OPEN COMPETITION LESS THAN SIMPLIFIED ACQUISITION THRESHOLD MEMO

FROM: [REDACTED]
CODE: 1032 – PAO and Events
SUBJECT: Brand Name Justification for Use of Other than Full & Open Competition for an Acquisition under the Simplified Acquisition Threshold (SAT)

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.
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.
3. This memorandum is derived from Enclosure 3, Department of Navy Simplified Acquisition Procedures Guide (April 2018) and is only applicable to acquisitions under the SAT.

II. DESCRIPTION OF ITEM OR SERVICE (include manufacture/sole source name and address)

This procurement is for two replacement LED panel displays and installation for the outdoor front sign at NSWC Carderock Division. The panels that are being procured are custom FLEX V-series panels with a required delivery and installation by September 30, 2023. Total estimated price will be [REDACTED]

Entech Signs
1905 W Arbor Rose Dr.
Grand Prairie, TX 75050
[REDACTED]
[REDACTED]

III. BASIS FOR DETERMINATION FOR USE OF OTHER THAN FULL & OPEN COMPETITION

Code 1031, the PAO and Events Branch, currently uses the front outdoor sign on base as a delivery vehicle for digital signage messaging from the Front Office. The LED panels are starting to reach their end of life and need to be replaced. As the vendor is the company that installed the entire sign installation, they are the only company who can replace specific parts to the system without voiding the warranty on the remaining components. Replacing the entire sign enclosure would not be as cost effective. New panels will not only fulfill our current requirements, but will allow all for improved capabilities and less down time. The clasp that is used to attach the LED panel to the connections grid, is proprietary.

☐ **A. BRAND NAME:**

Item required must be a brand name product, or feature of a product, particular to one manufacturer.

☐ **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).

☐ **3. Other Reasons:**

☒ **B. SOLE SOURCE** (select all that apply)

☒ **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:**

Entech Signs is the company that originally installed the "outdoor sign" in 2018. The entire monument was designed around the LED sign components to ensure a flush and weather proof cabinet. Only the OEM can provide the individual LED panels that are each 240 mm by 240mm that seamlessly attach to the OEM LED panel connection grid with the proprietary LED panel locking mechanism. As the panels are reaching end of life, they will no longer be covered by the vendor for requirement. New panels would cost at least half as much as replacing the entire outdoor sign enclosure [REDACTED] and also require special approvals with facilities and NAVFAC, making it the more cost effective and time saving option. Entech Signs is the only company that can replace the components of the outdoor sign without voiding the warranty, making them the only one authorized to do the replacement.

IV. CERTIFICATIONS & APPROVALS

A. Technical/Requirements Certification: I certify that the facts and representation under my cognizance, which are included in this justification, are complete and accurate to the best of my knowledge and belief.

[REDACTED]
Date: 2023.03.15 06:15:58 -04'00'

Customer/Requestor Signature

Name / Title / Phone

Date

[REDACTED]
Date: 2023.03.21 13:20:33 -04'00'

First Line Supervisor Signature

Name / Title / Phone

Date

B. Certification/Approval per FAR 13.501: Upon the basis of the above justification, I hereby approve the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c).

WITZ.BARBARAA Digitally signed by
WITZ.BARB [REDACTED]
92
Date: 2023.04.05 08:34:04 -04'00'

Contracting Officer Signature

Name / Title / Phone

Date