



## JUSTIFICATION FOR SOLE SOURCE PROCUREMENT (OPEN MARKET OR GSA) UNDER \$250,000

Sole source acquisitions may be used on a limited basis and only when the Contracting Officer's Representative (COR)/Program Official has provided sufficient justification and the Contracting Officer has determined that the circumstances warrant such action. The content for a justification must contain detailed facts and rationale to justify the sole source acquisition. Soliciting from a single source must be done in accordance with FAR 13.106-1(b) or 8.405-6. At a minimum, the following information must be included:

### Identification of Program Office, Contracting Activity, and Proposed Requirement, Justification and Program Office Certification:

A. Program Office:

NIOSH/PMRD/Health Hazards Prevention Branch  
Centers for Disease Control and Prevention  
Pittsburgh, PA 15236

B. Contracting Activity:

Centers for Disease Control and Prevention  
Office of Financial Resources  
Acquisition Branch - Pittsburgh, PA

C. Identification of Requirement:

1. Nature of Action to be Approved by Contracting Officer:
    - a. Sole source acquisition of: Mettler-Toledo Micro Balance XPR2U package
    - b. Procurement Request (PR) Number (if available): 000HCCRJ-2023-77827
  2. Proposed Vendor and Estimated Procurement Amount (if available):
    - a. Proposed Vendor: Mettler Toledo
    - b. Estimated Procurement Amount: [REDACTED]
  3. Is the requirement on GSA Schedule?  Yes  No
- If yes, provide schedule number:

D: Justification:

1. The justification for this non-competitive action is:

- In accordance with FAR 13.106-1(b)(1), “only one source [is] reasonably available” which states that, “For purchases not exceeding the simplified acquisition threshold. (i) 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). (ii) Where a single source is identified to provide a portion of a purchase because that portion of the purchase specifies a particular brand-name item, the documentation in paragraph (b)(1)(i) of this section only applies to the portion of the purchase requiring brand-name item. The documentation should state it is covering only the portion of the acquisition which is brand- name.”

- Urgency  
 Exclusive licensing agreements/Proprietary data  
 Brand name required  
 Industrial mobilization  
 Other (e.g., compatibility, space issues, continuity, compatibility, etc.) – continuity and compatibility with the need of the projects to conduct gravimetric analysis with Mettler Toledo balances.

- In accordance with FAR 8.405-6 “Limiting Sources” which states that, “the only circumstances that may justify the action are – (A) An urgent and compelling need exists, and following the procedures would result in unacceptable delays; (B) Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; or (C) In the interest of economy and efficiency, the new work is a logical follow-up to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original BPA must not have been previously issued under sole-source or limited-sources procedures.”

- Urgency  
 Only One Source  
 Logical Follow Up  
 Brand name required

2. Other facts supporting sole source procurement:

- a. What can this product/service do that other products/services cannot do?  
The compatibility with other Mettler Toledo balances and the Mettler Toledo LabX software currently used by NIOSH PMRD HHPB is not provided by other micro balances. The Mettler Toledo Balance XPR2U and accessories is the only one who can generate data that are compatible with the software used and instruments in use
- b. What other products/services were considered and why did they not meet the need?  
While there are other micro balances on the market, this specific unit compared to others has met and exceeded all minimum requirements needed for lab gravimetric analysis with Mettler Toledo LabX software. The possibility of interchanging the micro-balances would be impossible, resulting in days of readjusting to accommodate a different model.

3. Program Office efforts to seek potential offerors:

The PO has searched for other offers, but no one can provide the same features and compatibility as the Mettler Toledo XPR2U micro balance and accessories.

E. Program Office Certification:

I have reviewed this sole source justification and certify the justification is true and accurate to the best of my knowledge and adequate to support other than full and open competition.

Center/Institute/Office COR/Program Official Name/Title: Emanuele Cauda

Center/Institute/Office COR/Program Official Signature: .



Certification Date: May 11, 2023

F. Contracting Office Certification:

I have fully relied on the information provided herein and hereby certify that this justification is accurate and complete to the best of my knowledge and belief:

Contracting Officer Name:

Contracting Officer Signature: \_\_\_\_\_

Certification Date: