

**JUSTIFICATION REVIEW DOCUMENT
OTHER THAN FULL AND OPEN COMPETITION**

PROJECT/EQUIPMENT: Ascension Parish Water Meter Replacement
CONTROL NO: MVN-23-0005

AUTHORITY: 10 U.S.C. 3204(a)(1)

AMOUNT: \$ [REDACTED]

PREPARED BY: CONTRACT SPECIALIST	NAME: Nakiea Butler PHONE: 504-862-1772	DATE: 3/9/23
CONTRACTING OFFICER	NAME: Michelle Dalmado PHONE: 504-491-9056	DATE: 3/9/23
ENGINEERING TECHNICAL LEAD	NAME: Wayne Duplantier PHONE: 504-862-1989	DATE: 3/8/23
REQUIREMENTS	NAME: Jasmine Williams PHONE: 504-862-2917	DATE: 3/8/23

SIGNATURES ARE REQUIRED BELOW:

I have reviewed this J&A and find the justification adequate to support other than full and open competition.

DISTRICT SMALL BUSINESS SPECIALIST	SIGNATURE: [REDACTED] NAME: David Willis	DATE: 3/8/23 PHONE: 504-862-2627
PROJECT MANAGER	SIGNATURE: [REDACTED] NAME: Jasmine Williams	DATE: 3/8/23 PHONE: 504-862-2917
DISTRICT COUNSEL	SIGNATURE: [REDACTED] NAME: Thomas Taff	DATE: 3/8/23 PHONE: 504-862-2298
DISTRICT CONTRACTING CHIEF	SIGNATURE: [REDACTED] NAME: Cynthia M. Hall	DATE: 3/9/23 PHONE: 504-862-2874
SCO COUNSEL	SIGNATURE: [REDACTED] NAME: Tarrah M. Beavin	DATE: 3/13/23 PHONE: 470-572-0674

FAR PART 6 JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1. **Contracting Activity:**

U.S. Department of Army, Corps of Engineers, New Orleans District, Contracting Division.

2. **Description of Action:** The New Orleans District has requirement for a project with Ascension Parish under the Corps' Environmental Infrastructure Program (Section 219(f)(21) of WRDA 1992, as amended) to replace existing water meters in the Donaldsonville, LA area. Most of the existing water meters in this area of Ascension Parish are up to 40 years old, inaccurately under reporting water usage due to their age, and are required to be read manually. Approval is requested to procure on a brand name basis, various sized water meters and automatic water meter reading equipment for installation and replacement of the older meters. The Brand Name of the meters and reading equipment will be included in the solicitation for the selected contractor to provide and install. The estimated value of the Brand Name equipment is \$ [REDACTED]. The estimated cost of all work included in the project is \$ [REDACTED]. The Brand Name equipment being specified for the project will be listed in the scope of work for those offerors considering preparation of a bid under this 100% Service-Disabled Veteran Owned Small Business Set-aside action. The type of funds that will be used for this procurement are: 3122 – Construction General and Non-Federal Cash.

3. **Description of Supplies:** The following materials are requested to be Brand Name only under this project from Neptune Technology Group, Inc:

- a. Neptune Mach 10 R900i RF MIU water meters with pit antenna shall be supplied for approximately 3,265 meters sized 5/8-inch x 3/4- inch. The estimated cost is valued at \$ [REDACTED]
- b. Neptune Mach 10 R900i RF MIU water meters with pit antenna shall be supplied for approximately 160 meters sized 1-inch. The estimated cost is valued at \$ [REDACTED]
- c. Neptune Mach 10 R900i RF MIU water meters with pit antenna shall be supplied for approximately 55 meters sized 2-inch. The estimated cost is valued at \$ [REDACTED]
- d. Neptune Mach 10 R900i RF MIU water meters with pit antenna shall be supplied for approximately 10 meters sized 3-inch. The estimated cost is valued at \$ [REDACTED]
- e. Neptune Mach 10 R900i RF MIU water meters with pit antenna shall be supplied for approximately 10 meters sized 4-inch. The estimated cost is valued at \$ [REDACTED]

The above meters share the following specifications:

- The meters use Ultrasonic measuring technology for improved accuracy and low flow detection.
- No mechanical measuring components to wear out, increase maintenance costs, and cause inaccurate readings.
- A Sampling Rate of 4x per second.
- Improved quality of service and billing accuracy with detailed consumption data.
- Access to 96 days of stored history.
- The meters are integrated with the endpoint system thereby eliminating endpoint programing and external wiring thus preventing tampering and environmental damages.
- The meters can monitor and pinpoint troubled service areas, every 15 minutes, with flags that identifies leaks, low battery, reverse flow, and tampering.

- The meters main cases are constructed with lead free, bronze and be installed in either horizontal or vertical applications.

4. Authority Cited: 10 U.S.C. -3204(-a)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1(c)), Only one responsible source and no other supplies or services will satisfy agency requirements, Application for brand name description. An acquisition or portion of an acquisition that uses a brand name description or other purchase description to specify a particular brand name, product, or feature, peculiar to one manufacturer when the use of such description is essential to the Government's requirements, thereby precluding consideration of a product manufactured by another company.

5. Reason for Authority Cited:

a. Background. The Donaldsonville water system, which is owned by Ascension Parish, currently consists of a Parish Utilities of Ascension (PUA) system, which operates inside the City of Donaldsonville, and an Ascension Consolidated Utility District No.1 (ACUD1 system), which operates outside the city. The construction of the ACUD 1 system began in the 1990s and is much newer than the PUA system. The PUA system was purchased from Peoples Water Service Company in 2016 by Ascension Parish. This PUA system consists of over 60 miles of piping dating back to the 1900s, ranging in size from 3" to 8" in diameter, and over 3410 old rotary water meters which require manual readings by water department personnel.

The water lines on the PUA system have continued to be repaired as required throughout the years, but many of the meters on the PUA system are over 40 years old. Many of the PUA meters are beyond their intended design life, and because of this, the older meters need to be replaced. The older meters will be replaced with automated meter reading (AMU) water meters that can be read by either drive by equipment or fixed data collectors mounted around Donaldsonville. These meter types will decrease the manpower necessary for meter reading and will provide much more accurate water meter usage for all customers on the PUA system. Based on research conducted by Ascension Parish and its engineers, it is estimated that the older meters are underreporting usage by nearly 30%, meaning that Ascension Parish is consistently missing out on additional monthly revenue. Once the installation of the new meters is completed, the annual water revenues are expected to increase by up to \$ [REDACTED] annually when considering average monthly residential consumption data.

b. Justification.

In order to improve the older PUA water system, and for the older water system to be in line with existing automatic meter reading equipment currently used by the Ascension Parish water system, the following must be achieved when procuring the new equipment:

- The new water meters must be compatible with the existing water meter data collecting equipment to ensure they are gathering data and the interpretation of the data is acceptable to the end user for normal billing procedures.
- The new data collectors (AMU equipment) must match or be compatible with existing water meters, preventing issues with various company's intellectual property of their products and not be usable with other products outside of like-kind AMU equipment technology.

- The new data collectors must be able to integrate with the existing water billing software used by Ascension Parish. An incompatible software system can lead to inaccurate meter reading issues, forcing the billing department to revert to estimated monthly bills. This in-turn leads to constant billing disputes between the parish and the customer.

This brand name equipment is the only equipment that will be accepted and meet the needs of Ascension Parish because it is fully integrated and compatible with the current computer software system for supporting AMU. The use of equipment that is fully integrated and compatible with the existing computer software system will allow seamless water data collection and provide accurate billing for the organization and customer. By utilizing such equipment, the occurrence of issues that plague so many potable water distribution facilities around the state and country would be substantially reduced or eliminated. In addition, after researching specifications, equipment, and supporting software of other brand-named water meters there were no known equal products that are compatible with the current Neptune equipment and software that is currently used by the Parish. Because alternative products are not available or acceptable, it is requested that the equipment for this acquisition be solicited as brand name only.

c. Alternatives.

There are no acceptable alternatives to using the specified brand name products. The use of brand-name descriptions is essential to the government's requirements, precluding consideration of a product manufactured by another company, for the following reasons: :

- There are no known equal products that will integrate directly with the existing system.
- Even if an integratable product were available, meter readers would have to be trained to use and maintain two different types of meters and meter reading equipment, which would result in additional labor costs.
- Even if an integratable product were available, meter reading would not be universal throughout the water system and routes would have to be planned to match with the meter reading equipment needed based on the multiple meter brands located in the system. Not all meters within the limits of the project area are being replaced so meter brands would be mixed on some streets requiring a meter reader to carry two-meter reading devices. This would result in additional resources and logistic management resulting in additional costs.
- The new project will include 4 fixed meter reading devices mounted permanently in the area of the water system. This is expected to provide automatic reading for many but not all of the water meters. The remainder will be read with vehicular mounted meter reading equipment that the parish already uses. If an alternate meter brand were available and could be used, it would require the additional purchase of vehicular mounted meter reading equipment that is compatible with the new meter manufacturers equipment.
- Other brands of meter reading equipment would not be compatible with the existing Ascension Parish billing system that uses the Neptune equipment. Using other equipment would result in a new billing system and increased costs; therefore, no other equipment will satisfy the needs of Ascension Parish.

d. Impact. The use of other brand would not be fully compatible with the existing infrastructure. Other brand name equipment would have limited integration and compatibility with some portions of the existing software system which may lead to issues such as systematic failures, incorrect water meter readings, over or underbilling customers. This can also lead to the extra cost

of software shutdowns, software troubleshooting, reprogramming of the system, modification to the vehicular mounted meter reading equipment..

6. Efforts to Obtain Competition: This requirement is being competed as a Service-Disabled Veteran Owned Small Business Set Aside. While the equipment requirement is brand name only, adequate competition for the overall project from small businesses is expected. This action has been coordinated with the Small Business Deputy who supports the Service-Disabled Veteran Owned Small Business Set Aside competition. In accordance with DFARS PGI 206.302-1(d), the Contracting Officer posted a Notice of Intent (NOI)to procure brand name only equipment to sam.gov, with responses due February 10, 2023. The NOI was posted in order to obtain industry's feedback to determine the availability of other qualified sources. Interested Manufacturers were petitioned to submit evidence that they can meet the requirement above. No responses were received from the NOI posting.

7. Actions to Increase Competition: There are no actions to increase competition for this requirement. Industry must respond by providing the equipment that is specified as Brand Name and as outlined in this document. This J&A supports a discrete requirement that will end when the project is complete.

8. Market Research: Market Research was conducted by utilizing GSA Advantage, sam.gov and Paperless Contract Files (PCF). Sam.gov and PCF were used to search for projects that were similar in size and scope and no similar requirements were found. A NOI was posted on sam.gov on February 10, 2023, in an effort to gain industry's feedback to determine the availability of other qualified sources. No responses were received from the NOI posting. In coordination with the Small Business office and conducting Small Business dynamic search there is adequate Service-Disabled Veteran Owned Small Businesses who can perform this work under NAICS Code 221310. The brand name only equipment requirement is the only acceptable solution to Ascension Parish and no other brands have been identified by Engineering Division to be suitable for use.

9. Interested Sources: A NOI was posted to sam.gov, no responses were received. No other sources have been identified as having the capability to provide equipment that will meet the needs of Ascension Parish.

10. Other Factors: N/A

11. Technical Certification

I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

Name: Wayne Duplantier Date: 3/8/23

Title: Engineering Technical Lead

Signature: 

12. Requirements Certification

I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

Name: Jasmine Williams Date: 3/8/23

Title: Project Manager

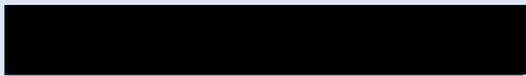
Signature: 

13. Fair and Reasonable Price Determination

I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable. Price will be determined fair and responsible based on adequate competition and certified cost or pricing data will not be required per FAR 15.403.

Name: Michelle Dalmado Date: 3/9/23

Title: Contracting Officer

Signature: 

14. Contracting Officer Certification

I certify that this justification is accurate and complete to the best of my knowledge and belief:

Name: Michelle Dalmado Date: 3/9/23

Title: Contracting Officer

Signature: 

APPROVAL

Based on the foregoing justification, I hereby approve the procurement of the components identified above as use of "*Brand Name*" as specified in the contract documents on an other than full and open competition basis pursuant to the authority of 10 U.S.C. 3204(a)(1) as implemented by FAR 6.302-1(c), subject to the availability of funds, and provided the products herein described have otherwise been authorized for acquisition.

Date:

Signature:

KIMBERLY A. MARSHALL
Alternate Advocate for Competition - Atlanta
U.S. Army Corps of Engineers