

Form F1001A - Justification for Other than Full and Open Competition

1. Requisition number and title: CPS-2112-23-0017 HD Prime Analyzer Maintenance & Service

2. Description of the Supplies and Services Required:

Maintenance and Service contract for XOS branded instruments in Laboratory Sciences – Chemistry. Instruments include two HD Prime XRF analyzers and one HD Mobile XRF analyzer. Coverage shall include software upgrades as available, one onsite preventive maintenance visit including calibration verification per year of coverage, and priority technical support.

3. Period of Performance: May 21, 2023 through May 20, 2024.

4. Estimated Value (to include options): \$

5. Description of effort made to ensure that offers are solicited from as many potential sources as practical: Only one company (XOS) can provide the service.

6. Reason for Other Than Full and Open Competition (check one):

- ☒ a. Only one responsible source and no other supplies or services will satisfy agency requirements.
- ☐ b. Only a particular Brand Name item can meet the Government's need.
- ☐ c. Unusual and compelling urgency.
- ☐ d. Industrial mobilization; engineering, developmental, or research capability; or expert services.
- ☐ e. International agreement.
- ☐ f. Authorized or required by statute.
- ☐ g. National security.
- ☐ h. Public interest (must be approved by Chairman).

7. Justification for sole source (not competing the requirements):

Laboratory Sciences – Chemistry at the CPSC has three instruments (two HD Prime XRF analyzers and one HD Mobile XRF analyzer) manufactured by X-Ray Optical Systems, Inc. (XOS) used for the quantification of lead, and similar regulated heavy elements, in surface coating materials. These instruments are still within the CPSC standard 7-year life-cycle replacement time period, but the instrument models we possess have been discontinued. XOS is the only source for unique parts and technical expertise on these discontinued instruments.

8. Insert contractor name, address and telephone number:

XOS
15 Tech Valley Drive
Suite 1
East Greenbush, NY 12061
United States

9. Contracting Officer's Representative (COR): Jason Howe, LSC

10. Originating Office/AED: Andrew Stadnik, LS

CERTIFICATION – This form and all supporting data are complete and accurate:

Jason Howe

Digitally signed by Jason Howe
Date: 2023.02.07 12:26:53 -05'00'

Signature of COR

Date

CONCURRENCE:

ANDREW STADNIK

Digitally signed by ANDREW STADNIK
Date: 2023.02.07 13:17:43 -05'00'

Signature of AED/Office Director

Date

CERTIFICATION AND DETERMINATION (to be completed by Contracting Officer)

Comments:

Authority: FAR 13.106-1(b) and 41 U.S.C. 3304(b)(2)(B), basis: Sole Source

Contracting Officer

Date

ADDITIONAL APPROVALS (as required):

Competition Advocate (greater than \$700,000.00, but not over \$13 million)

Date

Senior Procurement Executive (\$13 million or more)

Date