

MEMORANDUM TO THE FILE

**Subj: JUSTIFICATION FOR USE OF OTHER THAN FULL AND OPEN
COMPETITION
FOR A FAR PART 13 ACQUISITION UNDER THE SIMPLIFIED
ACQUISITION THRESHOLD**

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 (or portion of the requirement to be sole-sourced) is not expected to exceed the simplified acquisition threshold.

II. DESCRIPTION OF ITEM OR SERVICE:

-The Ammunition Supply Point (ASP) is in need of a high security system for high security keys to potential explosive sites (PES). The system (KeyTrak) provided by Federal key is the only company that can provide this technology. The technology used will let authorized personnel receive keys to said PES, and store historical data within the software provided. The ASP is looking to receive this sometime within in 60-90 days and to be used from date of arrival.

**III. THE DETERMINATION FOR USE OF OTHER THAN FULL AND OPEN
COMPETITION IS BASED ON THE FOLLOWING *(select all that apply)*:**

A. ONLY ONE RESPONSIBLE 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. X 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.

-The OEM is Federal Key LLC, being the only authorized distributor of KeyTrak products. None of the equipment used within KeyTrak products can be found within other contracting agencies, since KeyTrack does not sell their proprietary technologies and systems.

3. OTHER REASONS.

B. X *BRAND NAME*

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

-Federal Key LLC is the sole distributor for KeyTrak products. Included in the KeyTrak system is electronic software providing automated reports of fingerprint ID, a security camera for authorized users obtaining keys to PES. Keys will be stored in a 40 key panel, programmed to only allow said authorized users to obtain a certain amount of keys. The Camp Lejeune ASP Key System is essential to mission readiness due to having possession of the most PESs (79) in the Marine Corps, in support of II MEF. This equipment will provide proper care and accountability for high security keys to continue mission readiness.

C. X *URGENT AND COMPELLING*. 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:

1. Date on which the requirement was first identified: -20221007
2. Required delivery date/period of performance: - February-March of 2023
3. Explanation of why delivery/commencement of services by the date mentioned above is required:
-This system has been an ongoing item of interest since the beginning of the Fiscal Year (FY23). We have provided all documents necessary, and were provided a timeline for expected arrival of February-March.