

**FAR SUBPART 13.5 SIMPLIFIED PROCEDURES FOR CERTAIN COMMERCIAL
ITEMS – BRAND NAME JUSTIFICATION AND APPROVAL**

CONTROL NUMBER: 2023-005

PURCHASE REQUEST NUMBER: N4432923RC007TU

Requiring Activity: Commander VAQ Wing Pacific (CVWP) at Naval Air Station Whidbey Island (NASWI)

Description of Requirement: This requirement is for 14 ground-to-air / air-to-ground communications systems to replace current communications systems that have either broken or are nearing end of life.

Authority: Simplified Procedures for Certain Commercial Items, 41 U.S.C. 1901 as implemented by FAR Subpart 13.5.

Amount: (b) (5)

1. Agency Contracting Activity:

N00406 – Naval Supply Fleet Logistics Puget Sound

2. Description of Action:

CVWP at NASWI requests a firm-fixed-price supply type contract for 14 ground-to-air / air-to-ground communications systems to replace current communications systems that have either broken or are nearing end of life. The Government projects award for no later than February 2023 and fiscal year 2023, Operations and Maintenance, Navy funds will be used.

3. Description of Supplies/Services:

CVWP requires 14 each (or 7 sets) General Dynamics Mission Systems URC-300 RM100 ground-to-air / air-to-ground communications systems to replace current communications systems that have either broken or are nearing end-of-life. Items that make up this type of system include but are not limited to; transceiver, antenna, antenna cable, power amplifier, microphones, handsets, etc.

Required By: 07/31/2023

Total Value: (b) (5)

4. Basis for Sole Source

a. **Authority Cited:** Simplified Procedures for Certain Commercial Items, 41 U.S.C. 1901 (or 41 U.S.C. 1903 for Special Emergency Procurement) as implemented by FAR Subpart 13.5:

- ☐ Unusual and compelling urgency
- ☐ Exclusive licensing agreements
- ☐ Industrial mobilization
- ☒ Brand Name *(Note approval level requirements are applicable only to this portion FAR 13.501(2))*
- ☐ Other:

b. Reason for Authority Cited:

On 23 December 2022 a competitive award was made, under contract number N0040623C0003, for half (14 each or seven sets) of the required communication systems. This requirement is to purchase the other half of the needed communication systems. This requirement is brand name only to General Dynamics Mission Systems. Brand name is necessary due to the other half of the requirement being purchased from the brand General Dynamics Mission Systems. The remaining communication systems procured must match the form-fit-function of the currently purchased communication systems. There are two sets of communication systems per EA-18G Squadron. These communication systems are shared amongst the squadrons in the event that items break. Due to this, it is imperative that each squadron has matching communication systems. Additionally, not having the same equipment purchased would require employees to be trained on two different communication systems leading to a duplication of effort and increased costs to the Government.

5. Efforts to Obtain Competition:

The Contracting Officer shall publish the notices required by FAR 5.201.

6. Actions to Increase Competition:

The proposed solicitation will be synopsisized and solicited on the sam.gov website. Brand name only communication systems are required for compatibility with communication systems recently purchased by the Government.

7. Market Research:

The required supplies are available commercially. Market research indicates there are three small business General Dynamics Mission Systems resellers that can meet the requirements of the solicitation. The solicitation will be sent to all identified authorized resellers and will be posted to sam.gov.

Socioeconomic set asides were considered but were not applicable as General Dynamic Mission Systems is a large business and there is no Non-Manufacturer Rule waiver in place for these items under NAICS 334220. All authorized resellers are small businesses though and the large

manufacturer has confirmed that they will not sell these items direct. The required mandatory sources per FAR Part 8 were screened on 03 January 2023. The required supplies are not provided by AbilityOne or UNICOR.

8. Actions to Remove Barriers to Future Competition

For the reasons set forth in Paragraph 4, NAVSUP FLCPS has no plans at this time to compete future contracts for the types of supplies covered by this document. If another potential source emerges, NAVSUP FLCPS will assess whether competition for future requirements is feasible.

9. Any Other facts supporting the use of other than full and open competition.

Not Applicable.

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10. 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.

Typed Name: JAMES DOBBS Date: 6 JAN 23
CDR USN

Title: CSO

Signature:

(b) (6)

11. 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.

Typed Name: JAMES DOBBS Date: 6 JAN 23
CDR USN

Title: CSO

Signature

(b) (6)

12. Fair and Reasonable Cost Determination: I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable. Competition and/or market research will most likely be utilized in order to establish the price fair and reasonable in the business clearance prior to award.

13. Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

Typed Name: Anthony Torres

Date:

Title: Contracting Officer

Signature:

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Date: 2023.01.06 14:59:32 -08'00'

Legal Counsel:

Typed Name:

Signature:

DAVIES.TREVOR.ANDREW
DREW (b) (6)
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