

Subj: SOLE SOURCE MEMORANDUM TO ACQUIRE SHARK MARINE NAVIGATOR PARTS FROM SHARK MARINE INCORPORATED (Purchase Request 1301099512)

1. Identification of the agency and the contracting activity, and specific identification of the document as a “Limited Source Justification.”

This is a sole source justification. Contracting activity is the Naval Sea Systems Command, Naval Surface Warfare Center, Panama City Division (NSWC PCD), 110 Vernon Avenue, Panama City, FL 32407-7001.

2. Nature and/or description of the action being approved.

This action will award a firm fixed price purchase order, on a sole source basis, to Shark Marine Technologies Incorporated, 23 Nihan Drive, ST. Catharines, ON L2N 1L2, to purchase 24month maintenance kits for Shark Marine Navigators. These kits are required to complete 24 Month maintenance service for Shark Marine Navigator Navy Fleet EOD assets. Systems are required to have a 24 month maintenance completed. The services will be performed by original equipment manufacturer (OEM) trained maintenance technicians at NSWC PCD.

3. A description of the supplies or services required to meet the agency’s needs (including the estimated).

The contract effort is to acquire the following:

Description	Qty
Navigator Delta 24M Kits	12 Lot
Return Shipping To Panama City	1 Lot

The Government’s minimum needs have been verified by the certifying technical and requirements personnel. This memo does not authorize acquisition for other requirements. This acquisition will be conducted using simplified acquisition procedures with a total dollar value above micro-purchase levels, but not exceeding the simplified acquisition threshold of \$250,000.00. All parts kits will be delivered no later than thirty (30) days after receipt from the Government.

4. Identification of the justification rationale and, if applicable, a demonstration of the proposed contractor’s unique qualifications to provide the required supply or service.
10 U.S.C. 2304(c)(1). Application for brand name description FAR 6.302-1(c).

NSWC PCD provides the depot for the Fleet-procured and PMS 408-supported Shark Navigator systems. The Shark Marine Navigator was procured by both these entities to stem the gap between the MK 15 Mod 1 Underwater Imaging System (UIS) fielded in 2006 and the procurement of a long term STRIDENT solution. Contractor support is required to perform 24-month maintenance and minor repairs on two (2) Shark Marine Navigators.

This procurement is sole source for the following reasons. Shark Marine Technologies Incorporate is the original equipment manufacturer (OEM) for these systems and has not authorized any other vendor or manufacturer to make the maintenance kits. The required kits are proprietary to Shark Marine.

In addition, this configuration of the Shark Navigator has both acoustic and magnetic signatures and trends on file to help inform tactical decisions, and therefore the vendor parts must be used to ensure these signatures do not vary greatly from the trend lines across the systems. EOD teams need confidence in their systems and a set configuration when entering into Mine Countermeasure (MCM) Missions is essential. As the OEM, Shark Marine is the only company with the in-house capability to create the required 24M maintenance kits. An alternate source may introduce new or change existing parameters that may be detrimental to the operation of the Navigator. Therefore, it is imperative that this procurement is awarded to Shark Marine for the maintenance kits immediately.

5. A determination by the ordering activity contracting officer that the order represents the best value consistent with FAR 13.106-1(b).

The Contracting Officer has determined that the order represents the best value and results in the lowest overall cost alternative (such as considering price, special features, administrative costs) to meet the Government's needs.

6. A description of the market research conducted among schedule holders and the results or a statement of the reason market research was not conducted.

For the reasons specified in paragraph 4 above, Shark Marine Technologies Incorporated is the only source that can meet the Government's needs. Additionally, this procurement action will be advertised on the Government point of entry site, SAM.gov, since the estimated dollar amount of this procurement is greater than \$25,000.

7. Any other facts supporting the justification.

None.

8. A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the restricted consideration before any subsequent acquisition for the supplies or services is made.

As stated in paragraph 4 above, Shark Marine Technologies Incorporated is the only source that can meet this requirement.