

**Justification for an Exception to Fair Opportunity or to Use Brand-Name Restriction**Is this a brand-name justification? ☒ Yes ☐ NoPlease provide the product title and description. [[FAR16.505\(a\)\(4\)\(i\)](#)]

Brand-Name Product Title: Federal Signal

Brand-Name Product Description: Federal Signal SS2000+ Encoder with CommanderOne Communications

Is this a Bridge Action as defined in the [AF Bridge Action Reduction Plan](#)? ☐ Yes ☒ No

Contracting Activity: 375 CONS/PKB1

Purchase Request / Local ID Number: F3YCFA3086AW02

Program Name (and Program Element, if applicable): FY23 Scott Giant Voice System (GVS) Upgrade

Estimated Cost/Price of the Order (including options): [REDACTED]

Type Program (see [AFFARS 5302.101](#) for definitions): ☐ PEO Program ☒ Other ContractingType of Determination: ☒ Individual ☐ Class Expires: [click and select][Click here for instructions to complete the boxes below.](#)

(1) Contracting Activity:

375 CONS/PKB1 - Scott AFB, IL

(2) Nature and/or description of the action being approved:

375 CONS intends to solicit, compete, and award via sam.gov under the North American Industry Classification (NAICS) code 334310. This requirement has products unique to one manufacturer and only the Original Equipment Manufacturer (OEM) or their certified resellers can provide the required equipment. A brand name only (BNO) delivery order will be made utilizing the Brand Name Justification required by Federal Acquisition Regulation (FAR) 16.505(a)(4)(ii). The resultant award will be a firm-fixed price delivery order to update the existing Federal Signal Giant Voice System (GVS) at Scott AFB, IL.

(3) Description of the supplies/services required to meet the agency's needs:

Under the following purchase request, 375 CONS intends to acquire a brand-name only Federal Signal SS2000+ Encoder with CommanderOne communications via a fixed price delivery order through sam.gov. This will update the GVS that is currently experiencing real time signal delay and is unable to receive the existing AtHoc-EMNS alerts, tones, voice messages, and warnings that are necessary to forewarn/broadcast to personnel outdoors throughout the base. A violation of UFC 4-010-01 Change 2, dated 30 July 2022 and UFC 4-021-01 Change 1, January 2010, and AFI 10-2501 dated 10 March 2020.

]The delivery date for this requirement is NLT 28 July 2023.

In accordance with [FAR 16.505\(a\)\(1\)](#); orders under indefinite-delivery contracts do not have to be synopsized.

There is one Contract Line Items (CLIN)

The anticipated CLIN structure is as follows:

CLIN	Description	Quantity	Extended Cost
0001	Purchase and Install of Giant Voice System Upgrade	1 Lot	[REDACTED]

Total Estimated Cost: [REDACTED]



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Certified funds for this effort were received on [REDACTED] in the amount of [REDACTED] via PR #F3YCFA3086AW02.

(4) Justification for restricting consideration to a brand-name item:

[FAR 16.505\(b\)\(1\)\(i\)](#) requires the Contracting Officer to provide each awardee under a multiple award contract, a fair opportunity to be considered for each order exceeding \$3,000 unless a statutory exception applies. The specific exception that precludes the fair opportunity process for this acquisition is [FAR 16.505\(b\)\(2\)\(i\)\(B\)](#): “Only one awardee is capable of providing the supplies or services required at the level at the level of quality required because the supplies or services ordered are unique or highly specialized”.

The reason as to why Federal Signal controllers are highly specialized to this requirement is that the existing SAFB GVS is operating Federal Signal SS2000 Controllers at the Command Post, Alternate Command Post, and Bldg. 3689 which are out of date. Consequently, all of these locations are unable to receive the existing Athoc IIM-EMNS alerts, tones, voice messages, and warnings which automatically forewarn personnel outdoors throughout the base. Looking into the root cause of this issue, it has been determined that some of the existing GVS parts are no longer supported by the manufacturer, which is creating Real Time Services (RTS) delays, as the equipment is at least 12+ years old. Which begs the question, "should the whole system be replaced?" The issue in doing this is that the existing Federal Signal Controllers that were put into place have firmware for the Remote Terminal Units (RTUs) that are on the Giant Voice poles that have specific up to date software and services (firmware applications) programmed to the existing AthOC IIM Emergency Mass Notification System. So, to replace these software and services (firmware applications), on top of the out of date equipment, it is estimated that it would more than double the cost to change the brand of the GVS in place, Federal Signal. Meanwhile, this specific requirement only calls for the updating of out of date parts which includes the brand name Federal Signal Controllers with CommanderOne communications. That being the case, it should be noted that only Federal Signal can provide the supplies, products, and services required at the level of quality and cost-effectiveness necessary to fulfill this unique requirement for the existing GVS at Scott AFB, IL.

In addition to the information prior, the existing Federal Signal Giant Voice System (GVS) is no longer in compliance to UFC 4-010-01 Change 2, dated 30 July 2022 and UFC 4-021-01 Change 1, January 2010, and AFI 10-2501 dated 10 March 2020: which states that “The Installation Commander will ensure the installation has an Installation Notification Warning System (INWS) with the capability to disseminate rapidly and effectively the emergency information to warn all personnel according to timelines established IAW DoDI 6055.17. For that reason, If a new Federal Signal GVS is not installed the safety of the personnel outdoors at Scott AFB (SAFB) could lead to loss of life and/or personnel being injured, further justifying the case for this system to be updated.

(5) Contracting Officer's determination that the anticipated cost to the Government will be fair and reasonable:

Adequate price competition is expected which normally establishes a fair and reasonable price. There are 4 small business who responded to the sources sought that was posted on 25 April 2023 stating their interest in this requirement.

Based upon this information, it has been deemed that there will be enough competition amongst small business that it will be in the best interest to solicit this requirement as a 100% small business set aside.

In the event adequate price competition is not achieved, the CO will utilize other price analysis techniques described at FAR 13.106-3(a).

(6) Other facts supporting the justification:

All supporting justification is documented in Block 4.



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(7) Actions the agency may take to remove or overcome any barriers to decreasing the use of brand-name items before any subsequent acquisition of the supplies or services:

Due to the type of service and environment this work is performed, future requirements will be sought to decrease any barriers as this service is ever evolving and others may venture into this market.

(8) Program Manager's certification that supporting data is accurate and complete:

As evidenced by my signature below, I certify that any supporting data contained herein, which is my responsibility, is both accurate and complete.

(9) Contracting Officer's certification that the justification is accurate and complete:

As evidenced by my signature below, I certify that the justification is accurate and complete to the best of my knowledge and belief.

(10) Approving Official's determination that [FAR16.505\(a\)\(4\)\(i\)](#) applies to the order:

As evidenced by my signature below, I hereby determine that the use of brand-name restriction applies.

Date 24 May 2023	Program Manager Daniel P. Levin 375 CS/SCXP / [REDACTED]	[REDACTED]
Date 24 May 2023	Contracting Officer Darryl E. Weaver 375 CONS/PKB1 / [REDACTED]	