

## MEMORANDUM TO THE FILE

*(This is only applicable to acquisitions under the Simplified Acquisition Threshold. Acquisition using FAR Subpart 13.5 shall follow the special documentation requirements at FAR 13.501.)*

Subj: **USE OF OTHER THAN FULL AND OPEN COMPETITION FOR AN 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 is not expected to exceed the simplified acquisition threshold.

### II. DESCRIPTION OF ITEM OR SERVICE:

Contractor preserve/refurbish SRBOC/RSL/SUN SHIELDS IAW specifications listed below:  
Abrasive blast and powder coat IAW NSI 009-32  
Lockers shall be painted Haze Grey inside and outside  
Sunshields shall be painted white

### 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.  **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.

3. OTHER REASONS.

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

C.  **UNUSUAL AND COMPELLING URGENCY.** 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:
2. Required delivery date/period of performance:
3. Explanation of why delivery/commencement of services by the date mentioned above is required:

The above services are required to refurbish listed ready service lockers and sun shields on board USS IWO JIMA (LHD-7). Ready service lockers and sun Shields were found to be deteriorated and in desperate need of repairs. Failure to provide these services could cause catastrophic damage to ship and/or personnel as well as fail to meet their deployment schedule.

4. If appropriate, include any additional pertinent information.

IV. CERTIFICATIONS/APPROVALS:

**A. Technical / Requirements Certification:** I certify that the facts and representation under my cognizance which are included in this justification are complete and accurate to the best of my knowledge and belief.

[Redacted Signature and Title]

Signature

Title

**B. Contracting Officer's Certification:** I certify that the facts and representation under my cognizance which are included in this justification are complete and accurate to the best of my knowledge and belief.

[Redacted Signature and Title]

Signature

Title