

# **SOLE SOURCE or BRAND NAME JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION**

(FAR 13 Under the SAT)

## **1. DESCRIPTION OF THE SUPPLIES/SERVICES REQUIRED**

*State the requesting organization and the supplies or services required. Include the total estimated value and the period of performance or required delivery timeframe.*

The USDA Forest Service, Northern Region, Region 1, Nez Perce-Clearwater National Forest (NF) is requesting continuation of services to install and maintain field located digital kiosks including programing and uploading of digital content for electronic tour site kiosks located in remote recreational corridors across the Nez Perce-Clearwater NF with optional kiosk services extending across Region One.

Total estimated value of services including maintenance supplies is approximately \$25,000 to \$40,000 annually. The higher value will be applicable if optional items are exercised.

Performance Period is the short annual period between July 15 and Sept 15<sup>th</sup> for servicing most kiosks located along historic routes at high elevations. This is the only time when these sites are snow free at these high elevations where they are accessed by rugged, historic roads. Minimal servicing of a few community-based kiosks, and the production of upgraded programming for the kiosks could occur outside this performance period.

## **2. JUSTIFICATION FOR SOLICITING FROM A SINGLE SOURCE or FOR A BRAND NAME**

*Provide a detailed reason why another vendor or another brand name cannot be used to provide the required supplies or services.*

Brian K Davis dba Davis Communications, 103 Mulledy Road, Kooskia, Idaho 83539 worked closely with the National Technology and Development Program (NTDP) personnel in the development of information electronic kiosks where information is housed in a non-cellular, non-Wi-Fi supported router that is solar powered yearlong in adverse climate conditions.

NTDP is a problem-solving organization for the Forest Service <https://www.fs.usda.gov/t-d/index.php>. NTDP seeks and implements solutions to problems and technical challenges faced by Forest Service employees and partners. NTDP works with Washington Office sponsors, field employees, and cooperating agencies to develop solutions, including equipment, information, training, concepts, and ideas to better manage public lands.

Davis Communications identified the hardware components, including specific routers, solar and battery capabilities to support information delivery that results from a proprietary programming application developed by Davis Communication for uploading content to the specific digital content routers that operate in these high elevation climate conditions within the ETS units.

The Forest Service paid \$71,490 over 3 years for contract 12034320C0045, of which \$17,720 was for installation of 30 sites, \$14,085 for content update, and \$25,910 for maintenance of 30 sites. The new contract with Davis Communications will cost the Forest Service less over 3 years because it will mainly be for maintenance of the 30 sites (approximately \$26,000). Any content update and installation of new sites are optional items and will be on an as needed basis. If the Forest Service were to award to another vendor, the new vendor would have to update the content of all 30 sites with its own programming application due to Davis Communications' proprietary programming application and provide maintenance to all 30 sites. This would cost the Forest Service approximately \$40,000 for content update plus maintenance (\$14,000 + \$26,000 = \$40,000).

### **3. EFFORTS TO OBTAIN COMPETITION**

*Describe what market research was conducted to identify other vendors or brands suitable for the Government's requirements; or provide the reason market research was not conducted.*

Market research was conducted for Contract 12034320C0045, but businesses could not be found that specifically met the requirement to service these uniquely structured, solar powered, high elevation kiosks where the combination of non-internet, non-Wi-Fi based information housed in a router was delivered and maintained through solar powered equipment.

Full and open competition was provided for Contract 12034320C0045 (base plus 2 option years), which was the first time for this requirement, by posting a solicitation to the Government Point of Entry (GPE). Only one quote was received by Davis Communications.

Market research was conducted for the current requirement using SAM and SBA Dynamic Small Business Database for NAICS code 238210, 811213, and 811210 in the State of Idaho. The CO determined there are many sources in the economic groups, but they tend to be building contractors. Also, they are outside the local trade area making service calls an issue. The Performance Work Statement (PWS) requires service calls be completed in a timely manner as requested on an as needed basis.

It is difficult to ascertain whether any of the vendors listed in the search results (51 for SAM and 23 for SBA) possess the knowledge, skill, and willingness to perform the work for this requirement.

#### **4. STEPS TO PRECLUDE FUTURE SINGLE SOURCE (or BRAND NAME) AWARDS**

*State what planned actions will the agency take to ensure competition on future requirements for these supplies or services.*

Ensuring competition on future requirements for this service may be difficult unless the delivery of proto-type non-cellular, non-Wi-Fi, solar powered router-based information becomes commonplace on the open market. This technology and delivery of recreation-based information to users of remote locations was specifically developed in partnership with Davis Communications to meet a niche need on Forests where connectivity is nonexistent along destination recreation routes and locations.

The CO suggests posting a Sources Sought notice to the GPE in the future.

#### **5. CONTRACTING OFFICER'S DETERMINATION**

I have determined, in accordance with FAR 13.106-1(b)(1)(i) that the circumstances of this contract action deem only a single source is available for the required services.

Requesting Office:

CAROL HENNESSEY  
Recreation Wilderness Trails Rivers Outfitter Program Manager

Concur/Does Not Concur:

MARION DANIEL  
Contracting Officer