

AGENCY: Department of Justice - Bureau of Prisons

CONTRACTING ACTIVITY: FCI Otisville, Otisville, NY 10963.

ACTION TO BE APPROVED: The purchase of a replacement Muffin Monster Model #AMA2400-285 from GP Jager Inc. for a price of \$58,884.00.

DESCRIPTION OF SUPPLIES REQUIRED TO MEET THE AGENCY'S NEEDS: Located at the Sewage Treatment Plant. Current model being used will be exchanged for new. Distributor is GP Jager Inc. from Boonton, NJ. The current auger monster is too excessive and the weak tolerance allows for an exorbitant amount of material not to be removed. The original equipment manufacturer will replace the old Muffin Monster. The grinder is used at the head of the sewage and water lines to dispose of larger debris.

AN IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: FAR 6.302-1, Only one responsible source & no other supplies or services will satisfy agency requirements. B) Application (1) when there is a reasonable basis to conclude that the agency' minimum needs can only be satisfied by (1) unique supplies or services available from only one source or only one supplier with unique capabilities.

DEMONSTRATION THAT THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED: The Muffin Monster Grinder product needs to be replaced. JWC Environmental Inc. is the inventor and owner of the Muffin Monster and holds the patents and trademarks on these products. JWC Environmental is the sole manufacturer of this product and the exclusive source for service parts. The location of the grinder is set up to accommodate only the Muffin Monster Grinder and would have to be revamped in order to accommodate a different grinder. Also, the control assembly located inside the Sewage Treatment Plant would not accommodate a different brand grinder and would have to consequently be replaced as well. GP Jager Inc. is the local distributor of Muffin Monsters for the Otisville, NY area.

DETERMINATION BY THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE: The cost to the government has been determined to be fair and reasonable, as the cost to purchase a new similar grinder with a whole new system from another company would exceed the current price of the grinder. The Muffin Monster system was originally solicited for and purchased using competitive procedures and was determined to be the best value to meet the needs of the Institution. In the past the current monster had been removed and repaired at around a price of around 30% of what a new machine would cost.

A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OF A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED: Previously USP Canaan and FCI Otisville needed a replacement grinder available exclusively from JWC Environmental. Notices were posted on FedBizzOpps/SAM.gov in the past informing interested parties that a sole source procurement was being considered and requested interested parties to contact the contracting office if they could provide a compatible component. The contracting office did not receive any responses from interested parties.

ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION: N/A

A LISTING OF THE SOURCES THAT EXPRESSED AN INTEREST IN THE

ACQUISITION: N/A

A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIER TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED: As long as FCI Otisville continues to utilize the Muffin Monster to process sewage and debris, any replacement components must be purchased from JWC Environmental or an authorized distributor. The only solution to overcome this barrier would be to purchase another system to process the sewage and debris.

CONTRACTING OFFICER CERTIFICATION: I hereby certify that this justification is accurate and complete to the best of my knowledge and belief, based on information researched by myself and that which was provided by other persons.

A handwritten signature in black ink, appearing to read "George Bodine", with a stylized, cursive script.

George Bodine  
Contract Specialist  
FCI Otisville/USP Canaan