

Justification Review Document
for Other than Full and Open Competition - FAR Part 6

Program/Equipment: AES CORPORATION RADIO FREQUENCY TRANSCEIVER AND EST FIRE ALARM SYSTEM

Authority: 10 U.S.C. 2304(a)(1), as implemented by FAR 6.302-1, gives DoD the authority to set aside requirements when there is only one responsible source and no other supplies or services will satisfy agency requirements. FAR 6.302-1(a)(2)(iii) states: "For DoD, services may be deemed to be available only from the original source in the case of follow-on contracts for the continued provision of highly specialized services when it is likely that award to any other source would result in— (A) Substantial duplication of cost to the Government that is not expected to be recovered through competition."

Amount: [REDACTED]

Prepared by:

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DSN: 402-995-2056

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Date: 17 April 2025

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Technical/Requirements Representative:

Typed Name: Jeffrey D. Tessin

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Title: Program Manager

Date: 22 April 2025

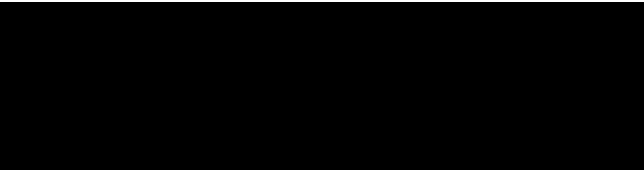
Reviews

I have reviewed this justification and find it adequate to support other than full and open competition.

Small Business Specialist

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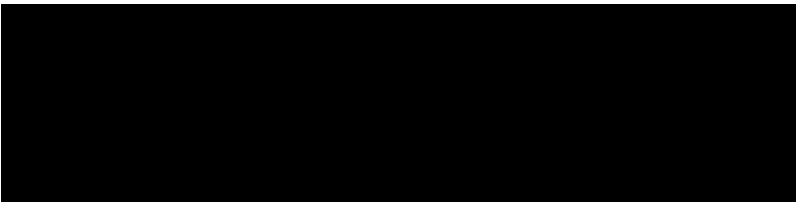


Date: 1 May 2025

Legal Counsel

Typed Name: Thomas J. Tracy

DSN: 402-995-2607



Date: 1 May 2025

FAR Part 6 Justification and Approval for Other than Full and Open Competition

1. Contracting Activity: U.S. Army Corps of Engineers (USACE), Omaha District, 1616 Capitol Ave, Omaha, NE 68102.

2. Description of Action: This Justification and Approval (J&A) is requested to specify a make of transceiver and fire alarm system for the Construct Power Independence Mission Control Station (PIMCS) at Buckley Space Force Base (SFB), Colorado (CO). In FY25 USACE Omaha District will compete and award a firm-fixed price (FFP), design-bid-build (DBB) construction contract utilizing Military Construction (MILCON) and Operations and Maintenance (Air Force) (OMAF) funding. In accordance with mandatory standardization decisions made by the Air Force per their Category Management (CM) Program, fire alarm systems and associated equipment is being standardized throughout the Air Force on an installation basis. Buckley SFB requires the brand names of AES Corporation radio frequency transceiver and EST fire alarm systems. The government will not procure the AES transceiver and EST fire alarm system directly, but rather the requirement to utilize this equipment will be included in the Solicitation that will lead to the new PIMCS construction contract at Buckley SFB.

3. Description of Supplies/Services: USACE received the mission to construct a [REDACTED] PIMCS at Buckley SFB in support of the Space Force mission. Congress approved the projects and USACE received the DD Form 1391 from Air Force Civil Engineering Center (AFCEC). As part of the design and construction effort, a transceiver and fire alarm system will be installed to support operation of the facility and the Air Force has standardized use of AES transceivers and EST fire alarm systems from its CM determination. Periods of performance will be specified in the contract.

The Government will not purchase these items directly, but will require the construction contractor to provide and install the following:

ITEM	PROPOSED MAKE	ESTIMATED AMOUNT
Fire Alarm System	EST Corporation	[REDACTED]
Radio Frequency Transceiver	AES	[REDACTED]

The total estimate of [REDACTED] was based on a 100% Working Estimate prepared by the USACE cost estimating team and validated by Engineering Division of the Omaha District.

4. Authority Cited: The statutory authority permitting acquisition of the requirement by other than full and open competition is 10 U.S.C. 3204(a)(1), as implemented by FAR 6.302-1(c), brand-name descriptions.

5. Reason for Authority Cited: FAR 6.302-1(c)(1) indicates that use of FAR 6.302-1 is appropriate for "An acquisition or portion of an acquisition that uses a brand-name

description or other purchase description to specify a particular brand-name, product, or feature of a product, peculiar to one manufacturer.”

a. Background:

(1) USACE will be the servicing agency for the construction PIMCS at Buckley SFB. The Air Force is establishing standardization requirements for fire alarm systems and associated equipment across all Air Force installations. The Air Force Head of Procuring Activity approved a Class J&A on 17 December 2021 that requires AF procurements to utilize specific makes of fire alarm equipment in all their requirements through 2026. The J&A speaks to estimated cost savings in training expenses and efficiency improvements in mission performance.

(2) FAR 17.503(d)(1) states that if a J&A or a D&F is required by law or regulation, the servicing agency shall execute and issue the J&A or D&F, though the requesting agency shall furnish the servicing agency any information needed to make the J&A or D&F. Therefore, USACE, as the servicing agency concluded that J&As in support of acquisitions at Buckley SFB and other Air Force military construction projects must be executed by Army.

b. Justification:

(1) FAR 6.302-1(b)(4) permits use of the Only One Responsible Source authority when the agency head has determined in accordance with the agency's standardization program that only specified makes and models of technical equipment and parts will satisfy the agency's needs for additional units or replacement items, and only one source is available.

(2) FAR 6.302-1(c)(1) allows for the acquisition or portion of an acquisition that uses a brand-name description or other purchase description to specify a particular brand-name, product, or feature of a product, peculiar to one manufacturer.

c. Alternatives: The standardization determination executed by the Air Force compels USACE to include the requirement for AES transceivers and EST fire alarm systems in the solicitation for Construct PIMCS at Buckley SFB. There is no alternative product that meets the Air Force need to standardize this equipment for Buckley SFB. The only alternative considered that would differ from the terms of this J&A is to purchase the fire alarm system and associated equipment separately and provide it to the construction contractor as government furnished equipment (GFE). This alternative would still involve the purchase of the specified equipment on a sole source basis. Further, the effort associated with purchasing, storing, conveying, and managing the GFE was determined to be both inefficient and uneconomical. No other feasible alternatives were identified.

d. Impact: If this J&A is not approved, USACE's construction contracts will not be executed in accordance with the Air Force CM decision. USACE will be unable to implement the Air Force's standardization program as part of the mission at Buckley SFB. If the fire alarm system and associated equipment is not standardized, the Air Force will not be able to realize the efficiencies and reduction of costs that have been

targeted in the category management analysis. Anticipated advantages include reduced training costs for Air Force maintenance personnel, efficiencies in obtaining and storing spare parts, and decreased disruption to mission by rapid resolution of any fire alarm system failures.

6. Efforts to Obtain Competition: Based on information in paragraph 5 above, and the sources sought information, competition for this action is best obtained through competition in sourcing the systems and equipment. Competition will be possible in the acquisition of the items. Each item is available from multiple suppliers. Proposals received shall be considered.

7. Actions to Increase Competition: Future acquisitions will continue to seek sources sought to identify other name brands which are compatible with the current systems.

The fire alarm system and associated equipment is a small component of the larger construction project. The majority of construction requirement, in both effort and total dollars will not be subject to limits to competition. Effective competition will be achieved in multiple ways, including full and open competition, small business set asides, and (possibly) competition for multiple award task order contracts. This J&A will be posted with the solicitation. Potential contractors will be made aware that specifications for the PIMCS project will require the installation of AES transceiver(s) and AES fire alarm system. Beyond the brand name of the referenced product; sourcing and subcontracting of referenced items will not be dictated by the Government. The solicitation will alert Primes, however, to engage subcontractors that are certified in installing AES transceivers and EST fire alarm systems.

8. Market Research: Market research indicated that competition among authorized suppliers for the brand name product, EST fire alarm systems and AES transceivers, will exist since they are readily available in the commercial marketplace and there are multiple companies that are licensed to sell the products. Because there are multiple sources, it is reasonable to expect that a fair and reasonable price will result from adequate competition at the subcontracting level.

In addition to the above, in accordance with FAR 5.201, the Air Force posted a Notice of Proposed Contract Action/Special Notice, 238220, Fire Alarm Panels to FedBizOpps (FBO) on 15 March 2019 when efforts were underway to prepare their Class J&A. This AF J&A included standardization for fire alarm systems at each installation. The posting remained open for 15 days. A description of the requirement was included in the FBO notice and advised any interested responsible party that believed it was equally or otherwise uniquely capable of meeting the requirements to submit a capability statement. Two sources expressed interest in the published notice, but neither were fire alarm system manufacturers.

9. Interested Sources: A Sources Sought was posted to SAM.gov on 24 March 2025 (W9128F25SM029) and requested responses by 9 April 2025. The Government received two (2) responses. Both firms were evaluated and appeared to be construction contractors, no manufacturers. This J&A will be posted with the solicitation in accordance with FAR 5.102(a)(6).

10. Other Facts: Reasonable efforts were made to retrieve other facts from computer records, contract files, and other sources to support the use of other than full and open competition as follows:

- a. Prior to the recent standardization efforts launched by the Air Force, there is no known history of sole source procurement of fire alarm control systems and associated equipment on an Air Force installation-wide basis.
- b. As previously stated, The Air Force Installation Contracting Center Contracting Authority (AFICC/CA) approved a Class J&A on 17 December 2021 that requires the use of brand name fire alarm systems and associated equipment in all requirements procured directly by the Air Force through 2026. The Air Force followed up with a formal fire alarm control system standardization, single manufacturer selection determination on 10 September 2019. This Class J&A implements the Air Force standardization determination for all construction projects executed at F.E. Warren AFB through 30 September 2026. The J&A encompassed all Air Force installations, and a 2023 memorandum from AFCEC specified EST fire alarm systems to be the designated single manufacturer at Buckley SFB.
- c. The J&A will be posted with the issuance of the PIMCS solicitation in accordance with FAR 5.102(a)(6).

- 11. Technical Certification:** I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

Typed Name: Jeffrey D. Tessin

Date: 14 May 2025

Title: Program Manager

- 12. Requirements Certification:** I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

Typed Name: Jeffrey D. Tessin

Date: 14 May 2025

Title: Program Manager

- 13. Fair and Reasonable Cost Determination:** I hereby determine that the anticipated cost or price to the Government for this contract action will be fair, reasonable, and realistic based on an analysis that includes comparison with the Independent Government Estimate. In accordance with FAR 15.403(b)(1), Certified Cost & Pricing Data will not be required for this action as competition is expected.

Typed Name: Brittany C. Gull

Date: 05/14/25

Title: Contracting Officer

- 14. Contracting Officer Certification:** I certify that this justification is accurate and complete to the best of my knowledge and belief.

Typed Name: Brittany C. Gull

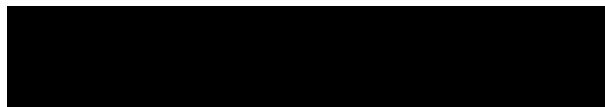
Date: 05/14/25

Title: Contracting Officer

Approval

Based on the foregoing justification, I hereby approve the procurement of *AES* transceivers and *EST* fire alarm system for the PIMCS at Buckley SFB, CO on an other than full and open competition basis pursuant to the authority of 10 U.S.C.2304(a)(1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, subject to availability of funds, and provided that the services or property herein described have otherwise been authorized for acquisition.

Date: 05/14/25



BRITTANY C. GULL
Contracting Officer