



**5. Reason for Authority Cited:** (State why this is the only source that can provide the required supplies or services.)

(a) Services can only be provided from the original source as this is a follow-on requirement for the continued provision of highly specialized services.

(b) Award to any other source would result in substantial duplication of cost to the Government that is not expected to be recovered through competition.

(c) Services/Supplies are needed immediately to satisfy mission requirements.

(d) Additional Information:

(i) What harm will come to the Government if desired supplies/services are not provided on time?

Testing for the GWOT will not be able to be performed to meet mission requirements. The proprietary software developed to control this specific instrument took thousands of man hours to develop and implement. Substitution of another similar instrument at this time will render the present controlling software useless, therefore, nullifying any cost savings. Also major wiring modifications would have to be made to accommodate any differences in I/O configurations, which would undoubtedly exist with another instrument. Currently we have 48 of these systems in the field operating and supporting mission needs.

(ii) What harm will come to the Government if desired contractor doesn't receive the award?

As stated above substitution of another similar instrument at this time will render the present controlling software useless, therefore, nullifying any cost savings. Also major wiring modifications would have to be made to accommodate any differences in I/O configurations, which would undoubtedly exist with another instrument. The proprietary software developed to control this specific instrument took thousands of man hours to develop and implement. For the Government to develop and test new software with another unit will cost the government on the order of \$1.2M. Finally, our mission needs to support immediate testing for the GWOT will not be able to be performed to meet our mission requirements.

**6. Actions to Increase Competition:** (State what actions will be taken to increase competition before subsequent acquisition of the supplies or services is required.)

Proprietary hardware and software is only available from Precision Filters Inc. Precision Filters Inc. does not have any distributors or resellers in the United States of the Precision Filters' System 28000 equipment. Precision Filters has a network of representatives that work with customers to identify requirements and provide preliminary pricing of appropriate PF products. Potential customers are referred to Precision Filters. Contract negotiations are conducted by Precision Filters and orders are issued to Precision Filters for all US sales. Precision Filters does distributors in several foreign countries including China, Japan, and Australia and each case the distributor has a limited geographic area. There is no other vendor offering this product at this cost with the features and requirements, which is needed to fulfill mission requirements.

**7. Market Research:** (Describe the extent of the market research conducted to identify all qualified sources and the results thereof. "Market Research" is defined as those attempts you made to ascertain whether other qualified sources exist. Research of the market place may consist of written, telephonic, or world wide web inquiries.)

Previously, the organization had considered other vendors/contractors against the Precision Filters 28000 Signal conditioning system; however these other vendors could not meet our specific specifications at the time of development of this system. Currently Aberdeen Test Center has 48 precision filter systems in the field, which have written proprietary software to control this software. Any change to the hardware itself would cause a huge setback in time and labor effort to be able to support GWOT testing immediately. Since this requirement is considered a sole source, the Government issued a Notice of Intent through ASFI to FEDBIZZOPs, reference W91ZLK-10-T-0422. This Notice of Intent stated that the Government intends to award a firm fixed price sole source purchase order to Precision Filters, Inc. (see the attached announcement). The notice was posted August 18, 2010 through August 30, 2010. There were no interested parties or did anyone take exception.

**8. Procurement History:**

Previous Contract or Purchase Order Number: W91ZLK-07-P-1055 @ \$357,760.00  
Previously competed?  N/A  No  
Previous authority for less than Full & Open Competition: Only one source/patent data rights, per FPDS-NG dated April 16, 2007

**9. Technical / Requirements Certification:** I certify that the support data under my cognizance which is included in this abbreviated-J&A is accurate and complete to the best of my knowledge and belief.

Submitted By: Dustin Houseman  
Position Title (Division Chief or higher): Electronics Engineer  
Email address: dustin.houseman@us.army.mil  
Date: August 17, 2010

**10. Fair and Reasonable Determination:**

I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable. This determination will be based on the independent government cost estimate, price comparisons with past purchases and published catalogs or prices for the same or similar commercial items. Certified cost and pricing analysis will not be required for this commercial procurement IAW FAR 15.403

Reviewed: Martha Mitchem  
Martha Mitchem  
Special Competition Advocate

**11. Contracting Officer's Approval:** Based on the foregoing, I approve the procurement of Precision Filters Signal Conditioner Chassis described above on an other than full and open competition basis pursuant to the authority of FAR 6.302-1, subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for acquisition.

Date: September 1, 2010  
Signature: S. J. Sauer  
Contracting Officer