

**JUSTIFICATION FOR SINGLE SOURCE AWARDS IAW [FAR 13.106-1](#)**  
(OVER MICRO-PURCHASE THRESHOLD(\$3.5K) BUT NOT EXCEEDING THE SAT (\$150K))

IAW [FAR13.104](#), COs must promote competition to the maximum extent practicable to obtain supplies and services from the source whose offer is the most advantageous to the Government, considering the administrative cost of the purchase. When competition is not practicable, IAW [FAR13.106-1\(b\)](#), COs solicit from a single source for purchases not exceeding the simplified acquisition threshold. COs may solicit from one source if the CO 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). IAW [FAR13.106-3\(b\)\(3\)](#), COs are required to include additional statements ***explaining the absence of competition*** (see [13.106-1](#) for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to an acquisition of utility services available from only one source) or supporting the award decision if other than price-related factors were considered in selecting the supplier. This template when completed can be used to document single source awards IAW [FAR13.106-3\(b\)\(3\)](#). Note: Statements such as "only known source" or "only source which can meet the required delivery date" are inadequate to support a sole source purchase.

**1. ACQUISITION PLAN ACTION ID:**  
659-17-1-177-0004

**1A. PROJECT/TASK  
No.**

**1B. ESTIMATED AMOUNT:**  
\$31,941.00

**2. BRIEF DESCRIPTION OF SUPPLIES OR SERVICES REQUIRED AND THE INTENDED USE:**

This is a request for maintenance contract on the ERBE APC2 Argon Plasma Coagulators and ERBE VIO300D Electrosurgical Units. These systems are used in extremely critical and specialized endoscopy procedures in normal and emergent conditions and therefore require extreme care which is proprietary to the Original Equipment Manufacturer, OEM. This is a firm fixed price contract.

**3. UNIQUE CHARACTERISTICS THAT LIMIT AVAILABILITY TO ONLY ONE SOURCE, WITH THE REASON NO OTHER SUPPLIES OR SERVICES CAN BE USED:**

This is a FULL SERVICE agreement which includes all parts, labor, materials, travel and annual certification services. As these systems are used in extremely critical and specialized endoscopy procedures during regular business hours and in cases of emergency outside normal business hours ERBE will provide any necessary telephone support 24 hours a day, seven days a week. Costs include all software updates to existing software, all loaner fees during times of service, all upgrade labor charges, and ground return shipping. Under no circumstance are the listed systems to be placed under any service or care of unauthorized equipment. Performance of such actions can cause a deviation in the system's performance and safety to both patient and user. All equipment, tools, software and peripherals are OEM proprietary and use of items not authorized by the OEM can cause extremely serious consequences, even death.

**4. DESCRIPTION OF MARKET RESEARCH CONDUCTED AND RESULTS OR STATEMENT WHY IT WAS NOT CONDUCTED:**

Market research indicated IAW FAR Part 6.302-1-One Responsible Source can satisfy the agency needs in providing the maintenance required for the Argon Plasma Coagulation technology. This vendor has been servicing the equipment since time of purchase and has no detrimental results from any care or services rendered.

**5. Contracting Officer's Certification:** *Purchase is approved in accordance with FAR13.106-1(b). I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.*

**Signature:** \_\_\_\_\_

**Name:** Melisha Evans

**Title:** Contracting Officer

**Facility:** NCO 6

**7. NCM/PCM DESIGNEE (Required \$3K and above):** I certify the justification meets requirements for other than full and open competition.

\_\_\_\_\_  
**Name:** Jay James, Branch Chief Supply 4

**Title:** Contracting Officer

**Facility:** NCO 6

\_\_\_\_\_  
**Date**