

Justification Review Document
For Sole Source - FAR Part 13.501*

(*Format follows FAR 6.303-2, but modified to reflect FAR subpart 13.5 procedures)

Program/Equipment: Polypropylene Container for 60# Shock Charge

Authority: 41 United States Code 1901 as implemented in Federal Acquisition Regulation 13.501(a)(1)(ii), sole source (including brand name) under the authority of the simplified procedures for certain commercial items

Amount: [REDACTED]

Prepared by:

Typed Name: Lorraine Geren DSN: (793)782-6757
Title: Contract Specialist Date: 8 March 2022
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Contracting Officer:

Typed Name: Cindy K. Wagoner DSN: (793)782-0182
E-Mail: cindy.k.wagoner.civ@army.mil

Sole Source Justification and Approval
Under FAR 13.501

1. Contracting Activity: Army Contracting Command – Rock Island
2. Description of Action: This procurement is for a new firm-fixed price contract utilizing Army Working Capital Funds (AWCF).
3. Description of Supplies/Services: Polypropylene Containers for 60 lb. Shock Charge. The estimated total value is [REDACTED]
4. Authority Cited: 41 United States Code 1901 as implemented in Federal Acquisition Regulation 13.501(a)(1)(ii), sole source (including brand name) under the authority of the simplified procedures for certain commercial items.
5. Reason for Authority Cited: A sole source award will be made to J.W. Molding, Inc., a small business under the relevant NAICS code of 326199. The company manufactured and owns the only mold for this requirement. The Navy modeling shop at Crane, IN has estimated that the cost to manufacture new molds would be [REDACTED]
[REDACTED]
6. Efforts to Obtain Competition: J.W. Molding, Inc. is the only company this is in possession of the mold that is needed to meet the Government's requirement. Although other companies have been found that are capable of meeting the requirement, they are not in possession of the required mold. In this case, competition cannot be obtained due to the estimated cost of the mold, and the fact that J.W. Molding, Inc. is the only company that possesses the mold.
This acquisition will be made using commercial procedures in accordance with FAR subpart 13.5 – Simplified Procedures for Certain Commercial Products and Commercial Services. FAR 5.202(a)(2) allows an exception to posting a synopsis notice for purchases using simplified acquisition procedures. Accordingly, a separate synopsis of this proposed contract action will not be posted.
7. Actions to Increase Competition: As long as J.W. Molding is the only contractor to own the mold for this item, competition will not be possible. [REDACTED]
[REDACTED]. If, in the future, the current mold becomes unusable, this requirement could be competed as the awardee would be required to manufacture a new mold.
8. Market Research: Although there are numerous companies that are capable of manufacturing this requirement, only J.W. Molding owns the required mold.
9. Interested Sources: To date, no other sources have written to express an interest.

10. Other Facts:

a. Procurement history.

W52P1J-20-P-3044

Competitive Status: Full & Open (SBSA)

Awardee: Chesapeake Plastics Manufacturing

Award Date: 6/11/2020

W52P1J-15-P-3036

Competitive Status: Full & Open (SBSA)

Awardee: Chesapeake Plastics Manufacturing

Award Date: 2/25/2015

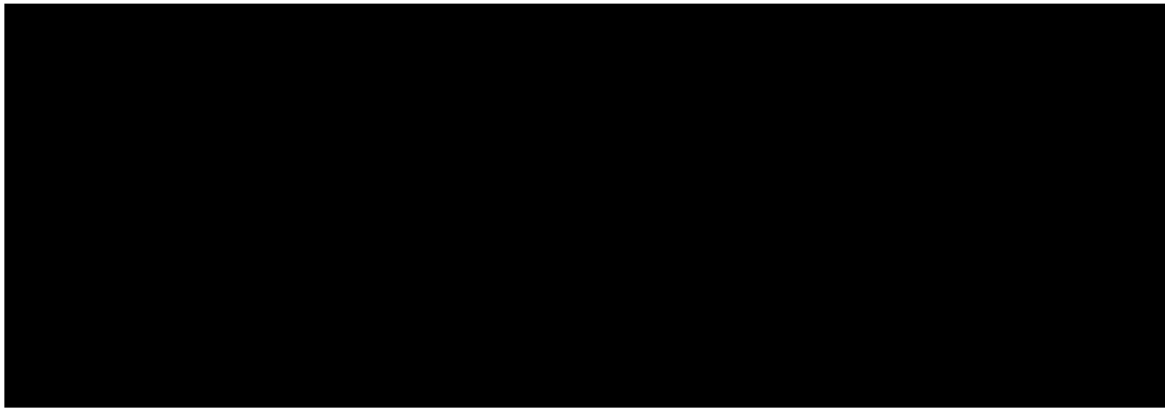
b. Other facts. The two previous awards were solicited on a full and open basis, as ACC-RI was unaware that Chesapeake Plastics Manufacturing was in possession of the required mold, and no other company possessed one. As a result, Chesapeake Plastics Manufacturing was the low-price awardee for each of the previous awards. Under W52P1J-15-P-3036, the containers were to be manufactured to Drawing #7428225 Rev B. After failing the first FAT, Chesapeake subsequently passed the FAT and successfully delivered the item. W52P1J-20-P-3044 required that the container be manufactured to Drawing #7428225 Rev D. Chesapeake failed the FAT and after discussions, the Government became aware that the company had produced the containers to the drawing's Rev C, rather than Rev D. The drawing change from Revision B to Revision C provided new tolerance for thickness. The drawing changes from Revision C to Revision D are: update the Distribution Statement and material call-out; provide dimensions on the drawing rather than in the Notes; and allow injection molding versus welding or room temperature vulcanizing (RTV). The Government made the determination that containers made to the Rev C drawing would meet the need, but found that the containers still did not pass FAT testing per Rev C. The Government notified Chesapeake that the FAT had failed both under Rev D and Rev C of the drawing. Chesapeake offered corrective action, which the Government accepted, and a second FAT was submitted to the Government. The second FAT failed as well, and the contract was terminated.

As the Government was determining how to move forward, it came to light that the Navy was working with J.W. Molding, Inc. to produce this item using somewhat different specifications, and that J.W. Molding, Inc. had manufactured the mold and successfully produced the item. Based on this information, the instant requirement will be awarded on a sole-source basis to J.W. Molding, Inc. The requirement will be to produce the containers to Drawing #7428225 Rev E, and will incorporate NSWC Indianhead, MD RFV #M41-RFV-041 dated 13 Dec 2021. The drawing changes from Revision D to Revision E are: correct typos; add Note 9 to add minimum container volume requirement; increase the upper limit for wall thickness; increase the total inside depth upper limit, and increase the thickness upper limit of the base plate. The cited RFV

provides the following variances: change the procedure to test deflection temperature; allow the use of carbon powder filled polypropylene; remove the requirement for application of conductive coating for containers made using carbon powder filled polypropylene with a maximum surface resistivity of 20,000,000 Ohms.

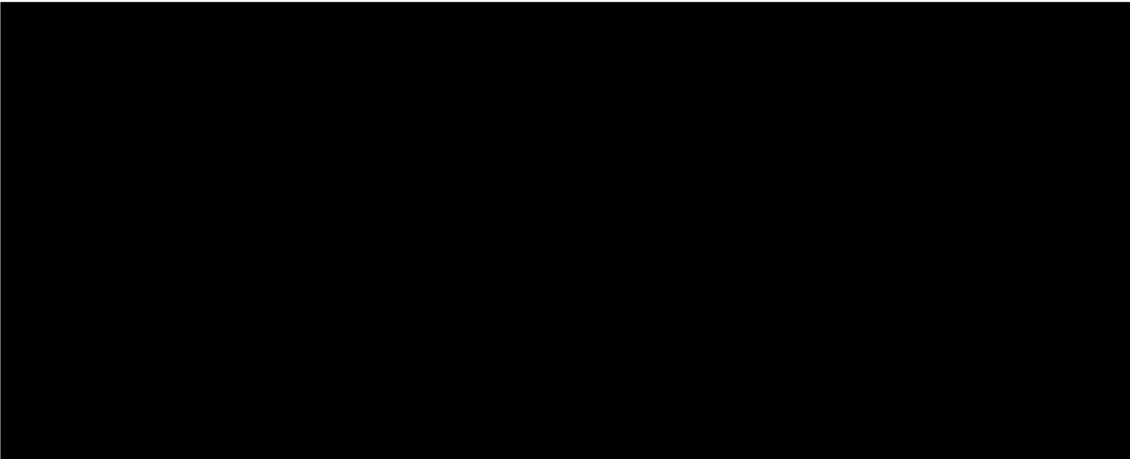
11. Technical Certification

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.



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.



13. Fair and Reasonable Cost Determination:

I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable based on the Independent Government Estimate and price analysis. Certified cost or pricing data is not required per FAR 15.403-1(b)(3)

3/10/2022

X *Cindy K Wagoner*

Cindy K. Wagoner
Contracting Officer
Signed by: USA

14. Contracting Officer Certification

I certify that this justification is accurate and complete to the best of my knowledge and belief.

3/10/2022

X *Cindy K Wagoner*

Cindy K. Wagoner
Contracting Officer
Signed by: USA

Approval

Based on the foregoing justification, I hereby approve the procurement of Polypropylene Containers with an estimated total dollar value of [REDACTED] on an other than full and open competition basis pursuant to the authority of 41 U.S.C. 1901 as implemented by FAR 13.501, subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for acquisition.

3/10/2022

X *Cindy K Wagoner*

Cindy K. Wagoner
Contracting Officer
Signed by: USA

ACC-RI

MEMORANDUM FOR RECORD: Addendum to Sole Source Justification, W52P1J-22-Q-PCTN

The following area added as an Addendum to the Sole Source Justification, Polypropylene signed 3/10/2022:

- Block 10a – Delete Full and Open from each listed purchase order. Replace with Small Business Set-Aside
- Block 10b, Other Facts – Delete “The two previous awards were solicited on a Full and Open basis”; replace with “The two previous awards were Small Business Set-Asides”

3/14/2022

X *Cindy K Wagoner*

Cindy K. Wagoner
Contracting Officer
Signed by: USA