



**DEPARTMENT OF THE AIR FORCE
KENTUCKY AIR NATIONAL GUARD
1101 GRADE LANE
LOUISVILLE, KY 40213-2678**

Date: 21 August 2020

JUSTIFICATION AND APPROVAL

SUBJECT: JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION – SOLE SOURCE/BRAND NAME

- 1. IAW FAR Subpart 6.3 and 13.106**, this document constitutes justification and approval for other than full and open competition for the acquisition described herein, under the authority of FAR 6.302-1 or 6.302-2.
- 2. Nature and description of action being approved:** Tactical Operations Medical Manikin (TOMManikin) to replicate breathing, bleeding, speech, and responses to interventions in support of Personnel Recovery training.
- 3. Description of supplies or services required to meet the Agency's needs:**
 - a. The supply/service required is: 6 ea. TOMManikins for Personnel Recovery (PR) training. TOMManikins wide assortment of injuries presents an anatomically correct look/feel and include the simulated subcutaneous fat, bone, and tissue destruction/discoloration found with traumatic injuries.
 - b. Estimated total price for supply/service is: \$398,395.00
- 4. Identify Sole Source/Name Brand Manufacturer:**

Brand name only justification
Name of Manufacturer: North American Rescue
Mailing Address: 35 Tedwall Court Greer SC 29650
Telephone Number: (864) 675-9800
Web Site Address (if available): www.NARescue.com
- 5. Identify the Provider/Distributor of Service/Supply (if different from item 4):**

Name of Manufacturer:
POC:
Mailing Address:
Telephone Number:
Fax Number:
Web Site Address (if available):

6. Identification of statutory authority permitting other than full and open competition:

****Fill out section A if you are justifying a Sole Source or Brand Name Specific situation.****

****Fill out section B if you are justifying an Unusual and Compelling Urgency situation.****

A. FAR 6.302-1, 10 USC 2304(c)(1) OR 41 U.S.C. 253(c)(1); Only one responsible source and no other supplies or services will satisfy agency requirements, to include “BRAND NAME ONLY” acquisitions:

Only Mark the One (1-6) That Best Qualifies:

1. ☐ Exclusive Rights (patent or copyright), or ☐ Propriety Design
2. ☐ Replacement, ☐ Equipment, ☐ Parts, or ☐ Accessories;
where compatibility is essential for integrity
 - a. ☐ Item is manufactured or produced by the supplier and the supplier solely distributes (sells) directly to the customer.
 - b. ☐ Item is produced by the manufacturer, but not sold direct to the customer by the manufacturer, and the manufacturer solely distributes the item through a single supplier in the world, USA, region, or identified market area.

NOTE: If item is available from more than one supplier, the item can be treated as proprietary, but must be competitively solicited from multiple sources of supply. ATTACH SIGNED LETTER FROM MANUFACTURER OR STATEMENT ON PRICE QUOTATION IF MANUFACTURER IS SUBSTANTIATING 2a OR 2b ABOVE.
3. ☐ Technical Service
4. ☐ Continuation or Prior Work – Additional item, service or work required, but not known to be needed when the original order was placed with the vendor.
5. ☒ Exclusive Capability – Only one vendor qualified. No other potential vendors known. Attach documentation to support any item marked under this section.
 - a. ☐ Compatibility with existing equipment or service
 - b. ☐ Requires specially trained personnel to accomplish task.
 - c. ☐ Possesses widely known specialized expertise to accomplish task.
 - d. ☐ Possesses unique test equipment or facilities for need or task.
 - e. ☐ Responsible for integrated system performance where warranties or results will be voided if other products or vendors are introduced.

- f. X Quality of equipment from other known vendor sources have been demonstrated to be inferior or documented to be unacceptable.
- g. Follow-On Acquisitions. Provide in Narrative below an estimate of the cost to the Government that would be duplicated and how the estimate was derived.

B. FAR 6.302-2, Unusual and compelling urgency, 10 U.S.C. 2304(e) (2). (Attach all supporting documentation.)

1. Explanation of the urgency (Lack of advanced planning is unacceptable):
2. Why only the proposed Manufacturer/Supplier can meet the need:
3. Description of why the item or service is critical, the estimated cost or other rational as to the extent and nature of the harm to the Government if not procured via use of other than full and open competition:

TECHNICAL AND REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this justification and which form a basis for this justification are complete and accurate.

David Yorton, Capt 3TRP 741-4432 21 August 2020

(Name and Title)	(Office)	(Phone)	(Date)
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X

Capt David Yorton

CONTRACTING OFFICER SECTION:

7. A FEDBIZOPPS notice:

___ was not required (under \$25K), or ___ was required (over \$25K)

Mark and document only if acquisition is anticipated to exceed \$25K

___ Exception under FAR 5.202 applies. Identify support rational:

___ FAR 6.302-2 applies as addressed above

___ Other

8. Description of the Market Research conducted and the results or a statement of the reason market research was NOT conducted.

9. A listing of the sources, if any that expressed in writing, an interest in the acquisition.

10. A statement of actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services are required.

CONTRACTING OFFICER DETERMINATION

I certify that this justification is accurate and complete to the best of my knowledge and belief. In accordance with FAR 5.202, 6.302-1, and 13.106-3, it is the contracting officer's determination that the proposed price for the above requirement is fair and reasonable based on market research, comparison of previous prices, current price list, and comparison with similar items in a related industry. The prices offered are equal or less than that they offer to the general public and favored customers. Supporting documentation of this price fair and reasonable determination is located in the award file.

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DATE

Base Contracting Officer

