JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Upon the basis of the following justification, I as Contracting Officer hereby approve use of the other than Full and Open competition for the proposed contractual action pursuant to the authority of 10 USC 2304(c)(1), only one responsible source and no other supplier or servicing activity will satisfy agency requirements, as implemented by FAR 6.302-1.

1. Contracting Activity

Naval Postgraduate School
Department of Contracting and Logistics
1 University Circle
Monterey, CA 93943

2. Description of the Action Being Approved

This justification covers the procurement of Nortek 1 MHz Aquadopp with internal logging and power supply, and Lithium batteries from Nortek USA. This justification for other than full and open competition will be posted at the Government wide Point of Entry.

3. Description of Supplies/Services

A stand-alone 1 MHz Acoustic Doppler Current Profiler (Aquadopp) that measure the three-components of velocity over the vertical, as well as pressure, temperature, pitch, roll, and compass. The data must be outputted in a user-readable format such as ASCII. The lithium batteries are proprietary to the NortekUSA Aquadopp for stand-alone deployments.

Aquadopp Profiler 1MHz, 1 each (P/N: 901105); 1 MHz Right-angle head – ASP, 1 each (P/N: 660018); Standard housing for two batteries or one 100Wh package, 1 each (P/N: 521106); 4 GB SD card data logger, 1 each (P/N: 650013); Pressure sensor, 0-30 m, 1 each (P/N: 710016); Compass and tilt sensor, 1 each (P/N: 603301); 10m RS232 polyurethane cable with 8-pin inline connector and USB converter, 1 each (P/N: 650001); RS-232 + analog in, 1 each (P/N: 300026); Plastic canister with 4*18 AA pack w/cable (300m rating), 1 each (P/N: 901115); Lithium battery packs 10 per pack (165 Wh), 2 each (P/N: 650056)

[redacted]

4. Statutory Authority Permitting Sole Source

FAR 6.302 -- Circumstances Permitting Other Than Full and Open Competition.

- 6.302-1 -- Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

The Naval Postgraduate School Oceanography Department presently owns 10 NortekUSA Aquadopps. Additional one is required. The data inputs/outputs and connections require a Nortek format consistent with existing proprietary software programs and cables compatible with

existing equipment. The size and shape of the Nortek housing is required for compatibility with instrument mounts already in place. A battery extension pack is also being purchased which must be interchangeable with all new and existing instruments. The batteries required for powering the instruments need to be 165 watts per hour (Wh) Lithium battery packs, identical to the existing inventory, to reduce logistical costs.

5. **Rational Justifying Use of Cited Statutory Authority**

The data inputs and outputs require a Nortek format consistent with existing proprietary software programs developed at NPS and cables compatible with existing equipment. An identical housing is required for compatibility with instrument mounts already in existence.

6. **Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable**

I did not solicit additional offers from other companies owing the mismatch in instrument specifications and our needs.

7. **Determination of Fair and Reasonable Cost**

Costs will be determined fair and reasonable at time of award by the Contracting Officer and based on previous contracts and similar contracting efforts.

8. **Market Research**

I used the Sea Technology journal, which provides advertisements for oceanographic instrumentation to seek out additional vendors. I also used various company websites. There are three primary companies that produce Acoustic Doppler Current Profilers – Nortek USA, Sontek, and RDI instruments. I did not solicit quotes from Sontek or RD Instruments. Sontek's highest acoustic frequency is 1.5MHz and is 1.2 MHz for RD Instruments. We are interested in a 1 MHz system as it provides smaller vertical bins. Both Sontek and RD Instruments do not package their instruments with a right-angle head. This is required for nearshore, particularly the surf zone, such that the instrument can be deployed close to the bed on a jetted pipe to maximize sampling over the vertical water depth. In addition, the NortekUSA Aquadopp does not require an external battery pack for operation, which is required for many of our short-term deployments. I only contacted Nortek USA about their batteries and housing owing to the hazardous nature of Lithium batteries and the potential damage if the wrong batteries are obtained.

Potential Vendors

1) NortekUSA 27 Drydock Ave Boston MA 02210
2) Sontek 9940 Summers Ridge Road San Diego CA 92121
3) Teledyne RDI USA 14020 Stowe Dr Poway CA 92064

9. **Other Facts Supporting Use of Other Than Full and Open Competition**

We have used the Nortek Aquadopp for years with great success. It is the size and packaging of the electronics that allow us to use this instrument in shallow-water environments. The other companies provide a different type of Acoustic Doppler Current Profiler (ADCP) that is best used in deep-water or from a moving vessel.

10. <u>Actions to Remove Barriers to Future Competition</u>

Self-contained unit with internal battery storage and higher frequency acoustic system would provide a comparable system for our scientific needs.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

[redacted]

CONTRACTING OFFICER CERTIFICATION

To the extent that the LSJ value is between $2,500 and $150K for services and between $3K and $150K for products, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

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

[redacted]

Signature	Name (Printed)	Phone No.	Date