

**NONCOMPETITIVE PROCUREMENT JUSTIFICATION**  
**(Simplified Acquisition Procedures (SAPs) Micropurchase Threshold to \$150K)**

The service or product(s) listed on requisition(s) below is/are precluded from competition for reasons indicated below.

SWXT12205

There are no suitable substitutes available.

Restricted to the following source. Provide original manufacturer's name. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer: TLD America,  
812 Bloomfield Avenue  
Windsor, Connecticut 06095  
800-526-5298,  
[REDACTED]

Manufacturer's Dealer/Rep: [REDACTED]

Description of the product or services required, the estimated cost, and required delivery date (products) or Period of Performance (services). Procurement of various quantities of 74 individual parts needed for Scheduled and Unscheduled Maintenance in support of 18 fielded TLD America ACU-802 Air Conditioning units. The ACU-802 units are used in direct support of the [REDACTED] and [REDACTED] aircraft deployed in desert theaters of operations. The Parts are required 75 days after receipt of award. Estimated procurement cost for these ~~77~~ Line Items total [REDACTED]

Specific characteristics of the material or service that limit the availability to a sole source (unique features; function of the item; unique capabilities; facilities or special equipment; etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources. In 2006 it was brought to the Navy's attention that the complex mission avionics systems of the [REDACTED] and other [REDACTED] variant aircraft could not be activated on the ground in the intense heat of desert theaters of operation without heat induced failures of vital systems. This greatly impacted the Warfighters capability to perform proper pre and post mission system operation verification inspections and required troubleshooting and repair actions of degraded systems. Starting in early 2007, the Navy initiated procurement actions ultimately resulting in the acquisition of a total of 18 ACU-802 Air Conditioning Units and initial replacement parts from TLD America. This was partially accomplished through contract N68335-09-C-019 issued in May 2009 by Naval Air Warfare Center Lakehurst for 11 of the ACU-802 units at [REDACTED] each. The total value of 18 units exceeds [REDACTED] dollars. The air conditioners were delivered from September 2007 thru April 2010, and deployed to eight locations throughout the world in support of Other Contingency Operation (OCO) mission aircraft support. The ACU-802 is a vital part to the [REDACTED] and other aircraft ground support. Used during Pre-flight, Post flight inspections and maintenance evolutions, the ACU-802 is used daily by technicians to rapidly provide and extract air conditioned air to the internal spaces and electrical components of the [REDACTED] and [REDACTED], ultimately preventing heat related Mission Avionics Systems (MAS) failures and mission aborts.

The ACU-802 Maintenance and Repair Parts are specifically tailored to the Original Equipment Manufacturer's (OEM) specifications for the ACU-802 unit and are identified through OEM Brand Name designated part numbers. OEM specified consumable parts (filters, fluids, belts, gaskets etc) and non-consumable repair parts are required by the front line Warfighter in the performance of maintenance and/or repairs on the ACU-802's engine and air conditioner in accordance with the Operation, Maintenance and Parts Manual for the Air Conditioning Unit ACU-802-H-CUP and Operator/Maintenance Training provided to the fleet. Every 500 hours, the ACU-802 is required to have select consumable items replaced if needed. TLD America as the OEM, has determined what materials shall be inspected and replaced and at what intervals.

The Government has attempted to locate alternate/replacement part numbers for the ACU-802 units, but has been unsuccessful in doing so for these 74 specific part numbers. The Government is currently unable to compete this effort due to a lack of specifications and drawing packages. Market research consisting of visual part examinations, internet and NSN research has been conducted by Code WXTM in an attempt to locate alternate sources. The Government has succeeded in identifying alternate sources for a few ACU-802 parts and has placed orders with other vendors and through Mil-Strip. These effort have had mixed results, in that some of the alternate parts did not work properly, causing extended "down" time to the ACU-802 units. Again, market research for the 74 specific parts in this effort has not proven successful in identifying alternate methods of procurement. Since the Government does not have adequate specifications and/or drawing packages needed to compete the effort, obtaining the OEM Brand Name part numbers is the only course of action available in order to keep these units fully operational. The only other alternative would be attempting to reverse engineer all 74 of the needed parts. The cost [redacted] and time (12 months) associated with this process would result in extensive down time for the ACU-802 units which would result in a negative impact on [redacted] and [redacted] operational readiness.

For non-personal services indicate the highly technical or specialized expertise required. Describe the contractor's workforce, methods, materials or unique management or operating systems. If it is unique because of knowledge of key individuals, what is the basis of the knowledge that another firm could not obtain the same or equivalent expertise? Could another firm obtain the necessary highly specialized experience or technical capability in time to perform the requirement? N/A

The required product(s) or service(s) represent(s) the minimum requirements of the Government and no other product(s) or service(s) can satisfy the need.

**FILL IN ALL APPLICABLE BLANKS BELOW**

The product(s) must be compatible in all aspects (form, fit, and function) with existing systems presently installed. Describe the equipment you have now and how the new item/service must coordinate, connect, or interface with the existing system. The items described above consist of ACU-802 1000 Hour Maintenance Parts and additional replacement parts specifically tailored to meet the OEM specifications for proper operation of units.

Patent rights, copyrights, trade secrets, technical data, secret processes, or other propriety data essential for contract performance limits competition. The proprietary data is:  
The Government does not own or possess the piece part specifications to allow full and open competition.

These are "direct replacements" parts/components for existing equipment. Needed for existing the TLD America ACU-802 Air Conditioning Units.

Other information to support a sole-source buy:

**I CERTIFY THAT STATEMENTS CHECKED, AND INFORMATION PROVIDED ABOVE, ARE COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT THE PROCESSING OF THIS SOLE-SOURCE JUSTIFICATION PRECLUDES THE USE OF FULL AND OPEN COMPETITION.**

Signature [redacted]

Code [redacted]

Title [redacted]

Date 3/19/2012

Based on review of the above statements and information, I concur with processing this procurement on a noncompetitive basis.

Contracting Officer Signature

Date

*M. Michael Albe*

22 - BARR - 2012