



DEPARTMENT OF THE NAVY

FLEET LOGISTICS CENTER NORFOLK
1968 GILBERT STREET SUITE 600
NORFOLK VA 23511-3392

IN REPLY REFER TO:
245C
1 July 2015
J&A Number: 15696

**JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION
(BRAND NAME ONLY)**

1. IDENTIFICATION OF AGENCY AND CONTRACTING ACTIVITY:

Requiring Activity: Commanding Officer
United States Air Force (USAF) Band
201 McChord Street
Joint Base Anacostia Bolling
Washington D.C. 20032

Contracting Activity: Commanding Officer
NAVSUP Fleet Logistics Center Norfolk (FLCN)
Contracting Department, Code 200
Norfolk, Virginia 23511-3392

Requisition Number: F1D0245126G001

2. **NATURE/DESCRIPTION OF CONTRACT ACTION:** This is a non-competitive action submitted for approval to award a Brand Name Only contract in support of the USAF Band for the procurement of a digital audio control console package. This requirement will be awarded subject to FAR 12 – “Acquisition of Commercial Items” and FAR 13.5 – “Test Program for Certain Commercial Items.”

3. **DESCRIPTION OF REQUIRED SUPPLIES/SERVICES:** The proposed acquisition is to provide the USAF Band with a Brand Name Only Wireless microphone system.

A Firm Fixed Price type contract is anticipated to be awarded for the procurement of :

SENNHEISER EM9046SU 9000 SERIES SYSTEM UNIT	6		
SENNHEISER EM9046 DRX 9000 SERIES DIGITAL RECEIVER MODULE	45		
SENNHEISER EM9046 AAO 9000 SERIES ANALOG OUTPUT MODULE	6		
SENNHEISER SKM9000 BK HANDHELD TRANSMITTER - NO CAPSULE - BLACK	45		
SENNHEISER SK9000 BODYPACK TRANSMITTER	18		
SENNHEISER AD9000 ACTIVE ANTENNA - DIRECTIONAL	12		
SENNHEISER GZL9000-A10 ANTENNA CABLE 32.8 FT. N-CONNECTORS	12		
SENNHEISER GZL9000-A20 ANTENNA CABLE 65.6 FT. N-CONNECTORS	10		
SENNHEISER L60 BATTERY CHARGER	23		
SENNHEISER BA61 RECHARGEABLE PACK FOR SK9000	28		
SENNHEISER BA60 RECHARGEABLE PACK FOR SKM9000	84		
SENNHEISER NT-3-1 POWER SUPPLY	6		
NEUMANN KK204 CAPSULE-BLACK	4		
NEUMANN KK205 CAPSULE-BLACK	4		
SENNHEISER EM9046 CAB CASCADING CABLE PACKAGE FOR EM9046 UNITS	2		

Delivery is to occur 60 days after contract award.

The total estimated dollar value of this acquisition is \$413,112.60. Initial funds in that amount of have been provided.

4. **IDENTIFICATION OF STATUTORY AUTHORITY:** Section 4202 of the Clinger-Cohen Act of 1996, a Brand Name Only acquisition under the authority of the “Test Program for Certain Commercial Items,” as implemented by FAR 13.501(a).

5. **DEMONSTRATION OF CONTRACTOR’S UNIQUE QUALIFICATIONS OR NATURE OF ACQUISITION:**

The United States Air Force Band’s mission, per Air Force Instruction (AFI) 35-110, 1.1- is “...harnessing the power of music to inspire immediate, positive, and long-lasting impressions of the United States Air Force (USAF) and the United States of America in the hearts and minds of audiences worldwide.” Without the appropriate, high end, professional level equipment, accomplishing that mission is not possible.

To meet its mission, the USAF Band is required to perform live concerts before the general public both in the United States and abroad. Such live performances require consistent sound reinforcement for groups ranging in size from four to one hundred performing at various venues. The Sennheiser digital 9000 series is the only wireless microphone system that uses a true digital carrier signal. The digital carrier signal permits the user to operate a significantly larger amount of systems in one location at a time within the frequency spectrum. Analog wireless systems take up significant frequency bandwidth when compared to digital, as well as being susceptible to intermodulation interference from one wireless microphone to another. Upcoming legislation by the FCC will significantly decrease the frequency band available for the operation of wireless microphones rendering the capability to operate a significant amount of wireless systems in one location null. The Sennheiser Digital 9000 wireless system is the only system on the market that will allow the USAF Band to continue using wireless microphones at the current rate.

The USAF Band currently owns approximately \$56,000.00 worth of microphone capsules that are only compatible with Sennheiser brand transmitters. As a cost saving measure, the USAF Band plans to use these capsules with the Sennheiser Digital 9000 wireless microphone system. If another brand of microphone is purchased, these capsules would need to be replaced with their equivalent costing the government and additional \$60,000.00.

Any brand deviation from Sennheiser puts the required “wireless microphone” communication requirement at a failure point because of wireless frequency band limitations.

6. **GPE ANNOUNCEMENT/POTENTIAL SOURCES:** The synopsis required by FAR 5.201 will be published on the Government-wide point of entry as intent to negotiate on a Brand Name Only basis.

7. **DETERMINATION OF FAIR AND REASONABLE COST/PRICE:** A determination of fair and reasonableness of price will be based on the Procuring Contracting Officer’s price analysis of competitive quotes in accordance with FAR 13.106-3.

8. **DESCRIPTION OF MARKET SURVEY:** THE USAF Band and FLCN both conducted market research through discussions with the requiring activity, internet searches, and discussions with Sennheiser and several authorized dealers. Market research corroborated that Sennheiser is the only brand that can provide the required equipment.

9. **ANY OTHER SUPPORTING FACTS:** It is essential that the USAF Band maintain the same name brand of equipment with respect to its wireless microphones. Should the Government Purchase a different brand of wireless microphones, the Government's risk of error in providing successful performances increases due to the fact that these microphones will be subject to a great deal of RF interference from outside sources. The capability of the USAF Band to continue its mission would be severely handicapped. These wireless mic systems are direct replacement items for currently existing Sennheiser units.

10. **LISTING OF INTERESTED SOURCES:** A review of Sennheiser's webpage (sennheiser.com/microphones) provides several authorized dealers the supplies may be procured from.

11. **ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION:** For the reasons set forth in Paragraph 5, the USAF Band has no plans at this time to compete future contracts for the types of supplies covered by this document. If another potential source emerges, FLCN will assess whether competition for future requirements is feasible. All future requirements will be dealt with on a case by case basis.

12. **STATEMENT OF DELIVERY REQUIREMENTS:** The resultant contract will contain a delivery date of 60 days after date of contract.

The delivery address is United States Air Force (USAF) Band, Attn: SMSgt Douglas A. Ellison, 201 McChord Street, Joint Base Anacostia Bolling, Washington D.C. 20032.

12. **CONTRACTING POINT OF CONTACT:** The point of contact at NAVSUP Fleet Logistic Center Norfolk is Rafael Williams who can be reached at rafael.williams@navy.mil.