

**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.

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: Semicaps, Pte, Ltd

Manufacturer's Dealer/Rep: Larry Ross, pnuTechnologies, (408) 206-8225 mobile,

Description of the product or services required, the estimated cost, and required delivery date (products) or Period of Performance (services).

1. A one year maintenance subscription agreement for the Semicaps 1100 Scanning Optical Microscope. Serial Number: SOM-T10A-079.

2. [REDACTED]  
2A. 1-year Comprehensive Service Contract for SEMICAPS SOM 1100: [REDACTED]

2B. [REDACTED] year Comprehensive Service Contract for SEMICAPS SOM 1100 [REDACTED]  
[REDACTED]

3. Relocation of the Semicaps 1100 SOM from Building [REDACTED] to Building [REDACTED]. This will include pre-disassembly testing, disassembly, crating, reassembly and retesting [REDACTED]

Contract period of performance: One full year upon contract award date.

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. pnuTechnologies is the exclusive North American agent (vendor) for the Semicaps 1100 SOM and therefore is the only qualified agent to perform preventative and corrective maintenance. This will include pre-disassembly testing, disassembly, and crating. [REDACTED] will be responsible for moving (transferring) the SOM to its new location [REDACTED]. Once [REDACTED] has completed the move pnuTechnologies will uncrate, reassemble and retest the microscope for functionality.

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? The Semicaps 1100 Scanning Optical Microscope is a stand-alone optical microscopy system that contains a self-contained electronic/workstation environment that allows the user to produce high magnification imaging in the sub-micron/nanometer range. Semicaps is the OEM of record and the Semicaps 1100 SOM was procured through their licensed agent pnuTechnologies. No other OEM offers the specialized technical capability (parts and components) meeting the technical requirements of the 1100 system.

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 equipment requires a yearly maintenance subscription agreement and requires relocation to a new building.

Patent rights, copyrights, trade secrets, technical data, secret processes, or other propriety data essential for contract performance limits competition. The proprietary data is: The imaging system optics and lasing systems are proprietary.

These are "direct replacements" parts/components for existing equipment . If any system or component should fail during the warranty period, pnuTechnologies will provide direct replacements (parts/components) during said warranty period

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.**

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Based on review of the above statements and information, I concur with processing this procurement on a noncompetitive basis.  
Contracting Officer Signature \_\_\_\_\_ Date 6/4/12

*Rebecca J. Dalton*

Date 6/4/12