Environmental Protection Agency Justification for Other than Full and Open Competition

This is a single source acquisition, pursuant to the requirements of RFO FAR 12.102(a): For acquisitions valued at or below the simplified acquisition threshold (SAT), document the decision that only one source is available and the basis of the decision, in accordance with RFO FAR 6.103(a), see 10 U.S.C. 3204 and 41 U.S.C. 3304.

1. **Contracting Activity**: Environmental Protection Agency; Office of the Chief Procurement Officer; Water, Tribal, and Science Division

2. Nature and/or description of the action:

Purchase of Repair Services and Maintenance Service Agreements

The U.S. Environmental Protection Agency (EPA) requires a maintenance and service contract for Government-owned Peak Scientific equipment: Peak Precision Hydrogen Generator (300cc, SN 771053569), Peak Precision Nitrogen Generator (Trace 600, SN 722110338), and Peak Precision Air Compressor (SN 722090846). These units are OEM-specific and rely on proprietary diagnostic software, parts, and procedures. Peak Scientific has stated that only its factory-trained technicians have full access to the tools and training necessary to properly service these generators. Market research indicates that servicing is performed exclusively by Peak Scientific. To ensure safe, reliable operation and maintain OEM integrity, EPA seeks to obtain service directly from Peak Scientific.

3. Description of the Equipment Requiring Services:

- Peak Precision Hydrogen Generator (300cc, SN: 771053569)
- Peak Precision Nitrogen Generator (Trace 600, SN: 722110338)
- Peak Precision Air Compressor (SN: 722090846).

4. Authority: [Check appropriate exception.]

Exception (* = abbreviated)	**FAR Cite**
[X] Single Source	RFO FAR 6.103-1(b)

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisitions requires using the authority cited:

Contractor's Unique Qualifications — Peak Scientific

- OEM-proprietary technology and restricted service access
    - The Peak Precision Hydrogen Generator (300cc, SN 771053569), Peak Precision Nitrogen Generator (Trace 600, SN 722110338), and Peak Precision Air Compressor (SN 722090846) incorporate proprietary firmware, diagnostics, and calibration utilities that are not provided to third parties. Peak Scientific is the only source with full access to the OEM maintenance software keys, service manuals, and technical data necessary to perform proper fault diagnosis, firmware updates, and performance calibration.
- Safety-critical systems and compliance
    - Hydrogen generation and high-pressure gas systems are safety-critical. Peak retains control of safety bulletins, component recalls, and configuration specifications (e.g., relief valve set points, leak-check procedures, catalyst/palladium cell handling). OEM procedures are required to maintain compliance with applicable lab and safety standards (e.g., NFPA/OSHA/agency lab SOPs). Using non-OEM methods risks unsafe operation and could jeopardize personnel and facility safety.
- Calibration to OEM performance specifications
    - The generators must meet OEM specifications for purity, pressure/flow stability, dew point, and particulate/oil content to protect sensitive analytical instruments (e.g., GC/GC-MS/LC-MS). Peak technicians use factory calibration rigs, test gases, and software to certify performance (often with NIST-traceable certificates). Third parties lack access to these tools, which compromise the ability to certify that units meet required specs for defensible scientific results.
- Serial-number–specific parts and service history
    - Required replacement parts (e.g., PSA columns, membranes, catalyst cartridges, filters, sensors, control boards) are proprietary and serialized. Peak controls the supply chain and configuration management tied to each serial number and maintains the complete service history for these units. Third parties cannot reliably source authentic OEM parts or ensure compatibility with the specific hardware/firmware revisions on the listed SNs.
- Warranty and recertification implications
    - OEM service is required to maintain warranty (if applicable) and to receive post-warranty OEM support, firmware updates, and safety notices. Non-OEM service may void existing coverage and eliminate access to future OEM support, increasing life-cycle cost and risk of prolonged downtime.
- Integration and data integrity
    - The generators supply carrier/modifier gases to mission-critical analytical platforms where gas quality directly affects method validity and data defensibility. OEM-validated maintenance is necessary to prevent instrument contamination/damage and to preserve the integrity of regulatory/scientific outputs.
- Authorized service network and response capability
    - Peak maintains the only authorized service network for these models, with factory-trained technicians, documented training/certifications, and access to OEM remote diagnostics and spare kits. No authorized third-party service

providers exist for these specific units in our region, based on market research conducted in [February 2026].

- Alternatives considered and market research findings
  - Market research (February 2026) included outreach to potential third-party lab equipment service firms and review of available sources. Prospective sources confirmed they do not have OEM authorization, cannot obtain proprietary parts/firmware, or would sub-contract to Peak. EPA colleagues operating the same Peak gas generators reported their units are serviced exclusively by Peak Scientific. No alternative source could demonstrate access to OEM diagnostics, parts, and procedures needed to meet safety and performance requirements.
- Risk, cost, and continuity of operations
  - Attempting non-OEM service introduces significant risk of unsafe operation, instrument damage, invalid analytical results, and extended downtime due to trial-and-error repair or unavailable parts. Any nominal savings from a non-OEM service call would be outweighed by the potential cost of equipment failure, data loss, and lost productivity. OEM service ensures continuity of operations with predictable turnaround and documented certification to spec.

Conclusion

- Based on the proprietary nature of the equipment, safety and calibration requirements, parts/firmware access restrictions, and the absence of authorized third-party providers, Peak Scientific is uniquely qualified to service these specific generators. Awarding to Peak Scientific is necessary to meet mission, safety, and performance requirements and is justified under FAR 6.103-1(b), as applicable.

6. Describe the efforts made to ensure that offers are solicited from as many potential sources as practicable:

- Market research included outreach to potential third-party lab equipment service firms and review of available sources. However, Peak is uniquely qualified to service these specific generators.

7. The contracting officer determines that the anticipated cost to the Government will be fair and reasonable.

- Price reasonableness is supported by historical pricing, including comparison to prior EPA orders for similar Peak service including most recent purchase order 68HE0B24P0594.

8. Description of the market research conducted (see FAR Part 10). If no market research was conducted, state the reasons:

- Market research included a review of EPA strategic sourcing, GSA, and other mandatory sources, as well as review and outreach to potential third-party lab equipment servicing

vendors. One other potential vendor was identified, but only Peak technicians are licensed to work on the specific equipment.

9. Other facts supporting the use of other than full and open competition.

- N/A

10. List sources that expressed, in writing, an interest in the acquisition. If no sources expressed an interest in writing, indicate such.

- None

11. Include a statement of the actions, if any, the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

- Based on the proprietary nature of the equipment, safety and calibration requirements, parts/firmware access restrictions, and the absence of authorized third-party providers, Peak Scientific is uniquely qualified to service these specific generators.

12. **Contracting Officer certification that the justification is accurate and complete to the best of the Contracting Officer's knowledge and belief.**

PAIGE LONG

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Contracting Officer