Date: July 2, 2026

MEMORANDUM

Subj: **USE OF OTHER THAN FULL AND OPEN COMPETITION FOR AN ACQUISITION UNDER THE SIMPLIFIED ACQUISITION THRESHOLD**

Ref: (a) PR Number(s): _ 1301384949

I. BACKGROUND:

1. In considering the references, FAR 13.106-1(b)(1)(i) states for purchases not exceeding the simplified acquisition threshold, Contacting Officers may solicit from one source if the Contracting Officer determines that, under the circumstances of the contract action, only one source is reasonably available (e.g., urgency, exclusive licensing, brand-name, or industrial mobilization).

2. As required by FAR 13.106-3(b)(3)(i), this memorandum explains the absence of competition for this acquisition because only one source will be solicited for this requirement (or for a portion of the requirement) and the requirement is not expected to exceed the simplified acquisition threshold.

II. DESCRIPTION OF ITEM OR SERVICE:

1. Provide a description of the item or service required, to include

a) the name of the required source or brand name

ALFA LAVAL INC.

b) the required delivery date **30 Sept 2026.**

c) its intended use.

Intent use GFM for PSA WI: 545 AQUA BLUE C125-HW 36 M3/HR DESALINATION PLANT Material for USNS Lucy Stone FY27 PSA – (T-ALT 205-0068).

2. List the source(s) or known vendor(s) who are able to provide the above described item or service.

ALFA LAVAL INC
Phone: 713-934-3160.

III. THE DETERMINATION FOR USE OF OTHER THAN FULL AND OPEN COMPETITION IS BASED ON THE FOLLOWING (select all that apply):

A. __XX__ Only one responsible source (select all that apply):

1. __XX__ RESTRICTIVE RIGHTS: the source has established proprietary rights, limited rights in data, patent rights, copyrights, or secret processes in the item or service.

a. Explain what is subject to the restrictive rights.

_____

Market Research determined there are no authorized distributors of new Alfa Laval capital equipment and systems. U.S. Government customers, must purchase all new capital equipment and required OEM service directly from Alfa Laval Inc. All Alfa Laval parts proprietary therefore not authorized for resell by third parties.

b. If drawings are included, who is identified as "owning" the drawings.

Alpha Laval hold proprietary rights to all applicable drawings and designs

2. ____ EXCLUSIVE LICENSING AGREEMENTS: The item or service is only available from the Original Equipment Manufacturer (OEM), or there is **ONLY ONE** authorized distributor or technical representative for the OEM.

a. ____ Identify the OEM and explain the circumstances surrounding why the item or service is only available from the OEM.

b. Identify the distributor / authorized technical representative for the item or service. Provide evidence of the exclusive licensing agreement as an attachment to this document. (***NOTE**: If there is more than one distributor / authorized technical representative, then use Part B – Brand Name.*)

3. __X__ OTHER REASON:

a. __X__ CRITICAL SHIP EQUIPMENT: The required item is critical ship equipment, the failure of which poses a hazard to the ship, the crew or the environment.

i. SMS Procedure Number: _____

b. __X__ STANDARDIZATION / BRAND NAME: Per MSCs standardization initiative, only the specified make/model of the equipment/parts will satisfy the Government's needs for additional units or replacement items.

i. Identify Make / Model Number(s): **Identify Make / Model Number(s): AQUA BLUE C125-HW 36 M3/HR DESALINATION PLANT**

ii. Identify other vessels with this Make / Model: **USNS John Lewis TAO-205, USNS Harvey Milk TAO-206**

c. _____FORM, FIT, AND FUNCTION: Item is direct replacement parts / components for existing equipment and must be compatible in terms of form, fit, and function with existing equipment / configurations.

i. Identify Make / Model of existing equipment:

ii. Describe how the equipment must be compatible with the existing configuration.

_____

_____

d. ___ OTHER:

_____

_____

_____

4. ____ UNUSUAL AND COMPELLING URGENCY: The supplies or services are of such unusual and compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits. Urgent requirements are supplies or services that will result in work stoppage, or are mission critical and the routine processing time would injure the Government. The determination that the procurement for the above is an urgent and compelling requirement is based on the following:

a. Date on which the requirement was identified: _____

b. Required delivery date / Period of Performance: _____

c. If the difference between a. and b. is more than one week, explain the delay in submitting the requirement.

d. Estimated production lead time: _____

e. Explanation of why delivery / commencement of services by the date required is needed: (explain the impact to the mission, any special circumstances or conditions, etc.)

_____

_____

_____

f. CASREP Number:

IV. ANTICIPATED DOLLAR VALUE OF PROCURMENT: $[redacted]

V. CERTIFICATIONS AND APPROVALS:

Technical / Requirement Certification: I certify that the facts and representation under my cognizance which are included in this justification are complete and accurate to the best of my knowledge and belief.

[redacted]

Requester Signature / Date

[redacted]

Level Higher (Suppo / SPE / ASPE) / Date

[redacted]

Specialist / Date

[redacted]

Contracting Officer / Date