[redacted] Control No: LRN-FY26-16

Contracting Officer's Determination – Limiting Competition at or below the Simplified Acquisition Threshold

1. Contracting Activity: Department of the Army, U.S. Army Corps of Engineers (USACE), Nashville District 110 9th Ave. South, Nashville, Tennessee 37203

2. Description of Action: This requirement is for the procurement and delivery of hydraulic diamond wire saw systems, replacement components, rigging assemblies, tooling, and associated accessories to support execution of the Wilson Main Lock Stoplog Liner Install Project. This procurement is schedule-critical and will utilize FY26 funding to ensure equipment availability prior to the planned construction and execution window for stoplog liner removal and replacement activities. The procurement strategy consists of purchasing one new Diamond Products hydraulic wire saw system while rehabilitating an existing Government owned unit to maintain operational capability, reduce procurement costs, and leverage existing Government owned equipment. The procurement includes all components necessary for heavy duty structural concrete cutting applications including underwater and wet cut operations. The Government's existing inventory includes Diamond Products CP40EXL and WS25 systems establishing a Brand Name requirement for compatibility, interoperability, and interchangeability with existing Government owned equipment. Market research identified multiple authorized Diamond Products distributors registered within SAM.gov capable of supporting the acquisition. [redacted] The contract will be a Firm Fixed-Price (FFP) Supply Contract.

Nature: ■ New Requirement ☐ Follow-on Requirement

Contract Vehicle: ■ Purchase Order
☐ Blanket Purchase Agreement (BPA)
☐ Order/BPA against FSS Contract #_____ _____
☐ Order against Multiple Award IDIQ Contract #_____
☐ Order against a single award IDC Contract
_____
☐ Modification to existing PO/TO/DO/Call Order
#_____

Pricing/Contract Type: ■ **Fixed Price** ☐ Time & Materials/Labor Hours
☐ Cost Reimbursable ☐ Hybrid

[redacted]

Funds: ☐ Operations & Maintenance, Army (OMA)
☐ Other Funds: FY26 Civil Works

Name of Proposed Contractor(s) and Address:

Not applicable. While there is a Brand Name component associated with this acquisition, the manufacturer, Diamond Products, has no less than ten (10) authorized distributors populated on their website. Therefore, while this is a Brand Name, it will be competed amongst the authorized distributors.

Brand Name Buy: ☐ **Yes** ☐ **No**

3. Description of Services or Supplies: The Contractor shall furnish and deliver Diamond Products hydraulic diamond wire saw systems and associated accessories fully compatible with existing Government owned Diamond Products CP40EXL and WS25 systems. The procurement shall include at a minimum a CP40EXL hydraulic power unit, WS25 wire saw assembly, control station, hydraulic hose assemblies, feed hoses, rigging assemblies, idler wheel assemblies, mounting systems, clamps, support hardware, diamond wire, crimping tools, threaded wire connectors, and associated operational accessories necessary for heavy duty structural concrete cutting operations. Additional replacement parts and rehabilitation components shall also be procured to support restoration and continued operation of the Government owned wire saw system. All supplied equipment shall be fully compatible with existing Government owned systems including hydraulic interfaces, hose assemblies, rigging components, mounting systems, replacement parts, and operational accessories. All equipment furnished under this procurement shall be new, unused, free from defects, delivered complete and operational, and suitable for intended field operations. Delivery shall be made to the Tennessee River Operations Center (TROC) at Wilson Lock and Dam, Florence, Alabama no later than 12FEB2027 unless otherwise approved by the Contracting Officer. The Contractor shall coordinate delivery with the Government at least five (5) business days in advance and provide all required quality documentation and Certificates of Compliance prior to Government acceptance.

4. Authority:

☐ *RFO 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 for that decision.*

Or

RFO 6.103 Competition Requirements for Other than Full and Open Competition

☐ RFO 6.103-1 Only One Responsible Source
☐ RFO 6.103-2 Unusual and Compelling Urgency
☐ RFO 6.103-3 Expert Services
☐ RFO 6.103-4 International Agreement
☐ RFO 6.103-5 Authorized or Required by Statue
☐ RFO 6.103-6 National Security
☐ RFO 6.103-7 Public Interest

Or

RFO 16.507-6 Exceptions to Fair Opportunity for Orders or BPAs valued above Micro-Purchase Threshold

☐ RFO 16.507-6(b)(1) Urgency
☐ RFO 16.507-6(b)(2) Items Peculiar to One Manufacturer/Supplier (Brand Name)
☐ RFO 16.507-6(b)(3) Logical Follow-on
☐ RFO 16.507-6(b)(4) Minimum Guarantee
☐ RFO 16.507-6(b)(5) Orders Over SAT Items Peculiar to One Manufacturer/Supplier
☐ RFO 16.507-6(b)(6) Public Interest

5. Reasons for Authority Cited:
This procurement is based upon Diamond Products hydraulic wire saw systems currently owned and operated by the Government. The use of Diamond Products equipment is required to maintain compatibility, interoperability, and interchangeability with existing Government owned CP40EXL and WS25 systems used for heavy duty structural concrete cutting operations. Use of alternate manufacturers may result in incompatibility with existing equipment, increased lifecycle maintenance costs, separate spare part inventories, reduced maintenance efficiency, increased operational downtime, and unacceptable mission and schedule risk during critical maintenance operations. The use of Diamond Products equipment ensures operational consistency, reliability, maintainability, and reduced long term operational burden across the Government's existing wire saw system inventory. Market research and Sources Sought responses confirmed that multiple authorized Diamond Products distributors registered within SAM.gov are capable of supporting this acquisition while maintaining the required Brand Name procurement approach.

6. Publicizing Contract Actions: For proposed contract actions, the pre-solicitation and synopsis requirements of RFO 5.101 and RFO 5.301 ☐ do not apply due to the threshold (<$20K), ☐ apply and will be followed, or ■ do not apply due to an exception at:

■ RFO 5.101(b)(1)(i) Is valued at or below the simplified acquisition threshold (SAT) and the solicitation will—

(A) Be posted to the GPE in accordance with 5.201; and
(B) Permit the public to respond to the solicitation electronically;

☐ RFO 5.101(b)(1)(ii) Compromise National Security

☐ RFO 5.101(b)(1)(iii) Would result from acceptance of—
(A)An unsolicited proposal that is unique and innovative, and sharing details would reveal confidential or proprietary information or original ideas; or
(B)A proposal under the Small Business Innovation Development Act of 1982 (Pub. L. 97-219);

☐ RFO 5.101(b)(1)(iv) Is an order issued under a requirements contract, a task order contract, or a delivery order contract;

☐ RFO 5.101(b)(1)(v) Is for perishable subsistence supplies;
☐ RFO 5.101(b)(1)(vi) Is for utility services (other than telecommunications) for which only one source is available

☐ RFO 5.101(b)(1)(vii) Is for the services of an expert for use in any litigation or dispute

7. Requirement to Post Justification IAW RFO 6.301, RFO 16.507-6(f):

☐ RFO 6.301(a): Agency must make publicly available as required by RFO 6.104 (10 U.A.C. 3204(f) and 41 U.S.C. 3304(f)

■ RFO 6.301(b): Agency must make publicly available within 14 days after contract award, except-
(1) Justifications under 6.103-2 must be posted within 30 days after contract award; and
(2) Justifications for brand-name descriptions under 6.103-1(d) must be posted with the solicitation (see part 5).

☐ RFO 6.301(c): Agency must make publicly available-
(1) At the Government Point of Entry (GPE);
(2) On the website of the agency, which may provide access to the justifications by linking to the GPE; and
(3) For a minimum of 30 days.

☐ RFO 6.301(d): Agency will not make publicly available due to exemption to disclosure of information contained in the Freedom of Information Act (5 U.S.C 552) and prohibitions against disclosure in RFO Part 24.

☐ RFO 6.301(e) Agency will not make publicly available due to National Security or other security risks.

8. Market Research: Market Research was conducted by reviewing Diamond Products' website to determine potential authorized distributors to avoid a brand name sole source situation. Diamond Products has no less than ten (10) authorized distributors; therefore, a sole source is not being considered. This solicitation will be competed amongst the authorized distributors who are registered in SAM.gov.

A Request for Information (RFI)/ Sources Sought was posted in both GSA and SAM from 5 May – 12 May 2026. As a result, no responses were received from GSA vendors and three (3) responses were received from SAM vendors. The three SAM responses were from small business entities.

9. Other Facts*:* N/A

10. Technical/Requirements Certification: I certify that the supporting data under my cognizance which are included in the justification is accurate and complete to the best of my knowledge and belief.

11. Legal Review: I have reviewed this justification and find it adequate to support other than full and open competition.

12. Contracting Officer Certification/Approval:

I hereby determine that the need for brand-name is justified due to the operability and need for compatibility with existing equipment. There are sufficient small business distributors for Diamond Products whereas a small-business set-aside is still applicable.

In addition, I determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable based upon adequate small business competition.

[redacted]

Control No: LRN-FY26-16

I certify that this justification is accurate and complete to the best of my knowledge and belief, and that completing this purchase as a brand name component is in the best interest of the Government. Additionally, I approve this justification subject to the availability of funds and provided that the services herein described have otherwise been authorized for acquisition.

Bridget Passatore 2026.06.17 13:51:45 -05'00'

Bridget L. Passatore
Contracting Officer

17 June 2026

Date

[redacted]