JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Pursuant to the Federal Acquisition Regulation (FAR) Deviation Subpart 6.103-1 , the Federal Bureau of Prisons (BOP) has determined that the acquisition of a duplex brine transfer pump skid from Hausers Water Systems is the only vendor that can provide this requirement to FCI Pekin.

Agency:
Department of
Justice
Bureau of
Prisons
FCI Pekin 2600 S. 2nd
St.
Pekin, IL 61554

Nature and/or Description of Action Being Taken: FCI Pekin intends to make an award to a sole source provider, Hausers Water Systems, for the requirement of a duplex brine transfer pump skid with software and engineering updates.

Description of supplies or services required to meet the agency's needs: The following line items: duplex brine transfer pump skid (1), electrical engineering updates to softener system (1), labor to function test and load program into PLC (1), freight (1); will be delivered to and performed at FCI Pekin located at 2600 S. 2nd St. Pekin, IL 61554. The quoted price for all line items will be $36,175.00.

Statutory Authority permitting other than full and open competition: This justification is being submitted for approval in accordance with 41 U.S.C. 3304(a)(1), and FAR Part 6.103-1(b) (Only one responsible source and no other supplies or services will satisfy agency requirements).

Determination that the nature of the acquisition requires use of the authority cited:
Hausers Water Systems installed the existing duplex brine transfer skid and software. They have proprietary control over the software and monitoring equipment. If we don't purchase replacement parts in the form of the skid from Hausers, they will not provide the software and engineering updates. Another vendor will not be able to provide the hardware *and* update the proprietary software and monitoring systems.

Efforts made to solicit from as many potential sources as practicable, including whether a notice was or will be publicized:
Hausers Water Systems is the only vendor FCI Pekin can use because they installed the existing proprietary software and monitoring systems.

Contracting Officer Determination that the cost to the Government will be fair and reasonable:
The Contracting Officer determines the price for this equipment to be fair and reasonable based on prices paid in the past for similar utility equipment.

Description of the Market Description Market Research Conducted

Market Research was conducted in accordance with FAR Part 10 and to the extent commensurate with the urgency, established value and complexity of the requirement. Market Research supported the determination concerning the most suitable approach for acquiring the subject supplies and services. It has been determined this requirement cannot be met in accordance with FAR Part 8. Market Research revealed the requirement is a commercial item customarily available through the commercial marketplace. However, due to the proprietary nature of the software and monitoring system updates required, Hausers Water Systems is the only responsible vendor that can provide this service to FCI Pekin.

Other facts supporting the use of other than full and open competition:
There are no other vendors in the area that expressed an interest in filling the requirement due to the software and monitoring systems previously installed by Hausers.

List of sources expressing in writing interest in the acquisition:
None. This became a sole source acquisition due to Hausers Water Systems proprietary control over the software and monitoring systems previously installed.

Action taken, if any, to remove or overcome any barriers to competition:
There is only one source currently available that can provide the requested materials. This requirement will be monitored to determine if other vendors are able to replace hardware, software and monitoring systems that would make for a competitive acquisition. A formal solicitation would be issued at that time.

Contracting Officer's Certification:
I hereby certify that this request for justification and Approval for Other than Full and Open Competition is made in good faith, that the supporting data and information are accurate and complete to the best of my knowledge. I hereby certify that the supporting data provided by the technical and requirements personnel that form the basis for this justification are certified as complete and accurate. See attached memo from the General Foreman.

Contracting Officer

06/09/2026
Date