FEDERAL BUREAU OF INVESTIGATION

FINANCE AND FACILITIES DIVISION | PROCUREMENT SECTION

Justification and Approval (J&A) for Other than Full and Open Competition Guide and Template

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 3304 (A) (X)

Requisition Number: [redacted]

Date: 6/1/2026

Estimated Contract Dollar Value: [redacted]

[redacted] Identification of the agency and contracting activity.

The U.S. Department of Justice, Federal Bureau of Investigation (FBI), *National Acquisition Programs Unit (NAPU)*, has prepared this justification for other than full and open competition for *Equipment, Supplies, and Services* on behalf of the *Evidence Response Team Unit (ERTU), Laboratory Division (FFD).*

2. The nature and/or description of the action being approved, i.e., sole source, limited competition, establishment of a new source, etc.

It is the intent of the ERTU to establish a new, brand name specific, firm fixed price Indefinite Delivery Indefinite Quantity (IDIQ) contract for equipment, supplies, and services in the attached document. The period of performance will be for a one (1) year base, with four (4) possible one-year option periods and a possible 6-month extension beginning on July 2026.

3. A description of the supplies or services required to meet the agency's needs.

TS, sUAS & LiDAR technology allow the ERTs to provide detailed documentation of crime scenes and produce verifiable measurements down to an accuracy of 2mm. The level of accuracy is critical to measurements that will be used for conducting scientific analysis of evidence collected by the ERTs to ensure admissibility into court room proceedings.

Due to the technical & sometimes delicate nature of the equipment to be acquired under this SOW and the operational tempo that the ERT program requires, the FBI will not allow the vendor to be more than 100 miles from the Laboratory Division HQ. This is required to prevent the possible damage of equipment in transportation to and from the vendor and to ensure the vendor can quickly respond in person to technical issues.

Because the process to ensure calibrations of each piece of equipment can be varied, the selected vendor must utilize manufacturer approved calibration and repair facilities and personnel. These facilities and personnel must follow any manufacturer specified processes for the calibration and repair of equipment.

The environments that the ERP program operate in are routinely unplanned and often chaotic in nature. The ERP must ensure that all equipment is able to function properly to successfully conduct the tasks that are required. Because of this, the selected vendor must have tech support available twenty-four hours a day, 7 days a week for any equipment that is still under warranty.

The selected vendor must be able to provide equipment repairs and calibrations, that are conducted by equipment manufacturer trained and certified individuals. The expectations of this contract include:

- Calibration & Repair of TopCon Total Station Equipment
- Calibration & Repair of GeoSlam/Faro SLAM LiDAR Equipment
- Software Licenses Acquisition
- Maintenance of Perpetual Software Licenses
- Equipment & Supplies

4. The statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is 41 U.S.C. 3304 (a)(1) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.103-1entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements." (Brand Name Specification)

5. Demonstrate the unique qualifications of the proposed contractor or the nature of the action requiring the use of the authority.

TopCon, Faro, Wingtra, and Emlid equipment, along with their corresponding brand-specific calibrations and software licenses, is essential to maintaining operational consistency and evidentiary integrity across the FBI. These systems are already in active use within multiple units, forming a standardized technological foundation for surveying, mapping, and documenting crime scenes. Introducing alternative brands or incompatible systems would create disparities in data formats, measurements tolerances, and analytical outputs, ultimately undermining the FBI's ability to maintain uniform procedures and produce defensible, high-accuracy reports.

Because this equipment directly supports crime-scene documentation and forensic analysis, consistency is not optional; it is a critical requirement. Any significant variation in hardware performance, calibration standards, or software processing could lead to measurable inconsistencies in scene reconstruction, spatial measurements, or evidentiary interpretation. Such discrepancies pose a risk to investigative accuracy and could compromise the reliability of findings presented in legal proceedings.

Furthermore, these specific equipment platforms require manufacture-approved calibrations, firmware, and software licenses to operate within their certified specifications. These brand-name calibrations and licenses are not interchangeable with third-party alternatives, as they ensure compliance with operational standards, maintain data integrity, and preserve compatibility across all FBI units using the same systems. Procuring the correct brand-specific support materials is therefore necessary to ensure that the equipment functions properly, remains legally defensible, and continues to meet the FBI's technical and evidentiary requirements.

Therefore, the acquisition of the specified equipment, calibrations, and software licenses is justified to maintain agency-wide standardization, ensure accurate and consistent data collection, and uphold the integrity of investigative operations.

The FBI also requires that the following items to be procured on a brand-name-only basis: TopCon TR-111 Robotic Tribrach with Optical Plummet, TopCon Robotic Pole (Carbon Fiber), TopCon Prism ATP2 360-Degree Round, and TopCon BDC72 Li-Ion Battery.

These components are specifically engineered by the manufacturer to operate seamlessly with the required TopCon Total Stations. Use of alternative items or "equivalent" products would compromise compatibility and adversely affect the proper functioning of the system.

6. **A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.1 and, if not, which exception under 5.101 applies.**

This requirement will be posted on SAM.gov as a partial brand name only, open market requirement. This announcement will give an opportunity for authorized resellers to demonstrate their ability to meet the FBI's specific needs through a submission of their technical capabilities and cost information.

7. The anticipated dollar value of the proposed acquisition, including options if applicable, and a determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

The anticipated dollar value of this award has a not-to-exceed ceiling estimated at [redacted], including the one (1) base year and four (4) possible one-year option periods with a possible 6-month extension. Prior to issuing award, the Contracting Officer will determine that the proposed price is fair and reasonable in accordance with FAR 12.204(a).

8. A description of the market research conducted and the results.

A market survey was conducted and revealed that TopCon, Faro, Wingtra, and Emlid equipment meets or exceeds the hardware performance requirements required to conduct forensic documentation. Each piece of equipment was selected in previous competitions to ensure the equipment meets accuracy standards, performs all functions needed of the equipment, provides for ease of use by the operators and offers the best value. To assist in conducting the market research ERTU representatives have attended trade show, engaged with representatives from standards organizations, met with other state, local & federal agencies, conducted internet searches and attended demonstration days hosted by manufactures.

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

None

10. A listing of any sources that expressed a written interest in the acquisition.

Since the procurement was not advertised, no other companies have expressed an interest either orally or in writing.

11. A statement of any actions the agency may take to remove or overcome any barriers to competition, if subsequent acquisitions are anticipated.

The actions of the Evidence Response Team Unit to identify potential sources possessing the ability to satisfy this and similar requirements are ongoing. Over time, additional sources may become available and identifiable through market surveys from vendor's websites, magazine articles, product literature published by manufactures, distributors, and dealers,

collaboration with other Federal Agencies, or other means. The ability to predict this possibility is difficult. Therefore, the barriers to competition they impose are impossible to avoid.