USE OF OTHER THAN FULL AND OPEN COMPETITION SAT

1. Identification of Agency and Contracting Activity

NAVSUP FLC

San Diego, CA

CNRSW

750 Pacific Hwy

San Diego, CA 92132

2. Nature and/or Description of the Action Being Approved

The action being approved is a brand name sole source procurement of three Bauer MINI-UNI/13-E3 breathing air compressor systems. This is a critical, one-time procurement to replace failing, end-of-life compressors at three naval fire stations: NAS Lemoore, NAWC China Lake, and NB San Diego. The new systems are essential for sustaining life-safety operations for first responders.

3. Description of Supplies/Services to Meet the Agency's Needs Including Estimated Value

- Item/Service Description: The procurement is for three Bauer MINI-UNI/13-E3 breathing air compressor systems. These are 10 horsepower, 3-phase electrical units with a 13 SCFM charging rate at 6000 PSIG. They include a P2S purification system with Securus, two ASME storage cylinders, and a 2-position fill station. The purchase also includes shipping and installation labor.
- Intended Use: The compressors are required to provide a reliable source of certified pure breathing air for firefighters' Self-Contained Breathing Apparatus (SCBA). This is an essential life-safety function for first responders.
- Required Source/Brand Name: The required brand is Bauer Compressors Inc.
- Estimated Value: [redacted]
- Required Delivery Date/Period of Performance: The Period of Performance is from August 24, 2026, to January 31, 2027.

Is the requested material or service represents the minimum requirements of the Government Estimated Dollar? **No**

Estimated Dollar Value:

FY/Option/Ordering Period	OM&N	OPN	RDT&E
FY26	[redacted]		

4. Statutory Authority Permitting Other Than Full and Open Competition

41 U.S.C. 1903 as implemented by FAR 13.106-1(b)(1)(ii) Brand Name

41 U.S.C. 1903 as implemented by FAR 13.501(a) Sole Source

Additional Information Regarding Statutory Authority if Applicable

Procurement Request/Solicitation/Purchase Order Number:

Control Number:

I. Background

1. FAR 13.106-1(b)(1)(i) states for purchases not exceeding the simplified acquisition threshold, Contracting Officers may solicit from one source if the Contracting Officer determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, 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, as 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

Provide a description of the item or service required, to include its intended use, the name of the required source or brand name, the estimated cost/price, and the required delivery date/period of performance

Please reference item 3 above (Description of Supplies/Services to Meet the Agency's Needs Including Estimated Value)

III. THE DETERMINATION FOR USE OF OTHER THAN FULL AND OPEN COMPETITION IS BASED ON THE FOLLOWING:

A. ONLY ONE RESPONSIBLE SOURCE

1. Restrictive Rights	No	The source has established proprietary rights, limited rights in data, patent rights, copyrights or secret processes in the item or service required.
2. Exclusive Licensing Agreements	No	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.
3. Other Reasons	No	Provide details on mission impact if requirement is not solicited from only one source

B. BRAND NAME Yes

Item required must be a brand name product, or feature of a product, particular to one manufacturer. Discuss why you are precluding consideration of a product manufactured by another company. Describe how the particular brand name, product, or feature is essential to the Government's requirements and why a "brand name or equal" purchase description cannot be used (see FAR 11.104). Describe how market research indicates other companies' similar products or products lacking the particular feature do not meet, or cannot be modified to meet, the agency's needs

- Standardization: The Region Southwest Fire Department has a strategic directive to maintain uniformity of life-safety breathing air equipment across all regional firehouses. The Bauer brand is already in use, and procuring the same brand ensures identical parts, maintenance protocols, and equipment for all regional facilities.
- Compatibility: The new compressors must be fully compatible in form, fit, and function with the existing regional network of Bauer systems. This ensures seamless interoperability, use of existing stock of proprietary purification cartridges and oils, and immediate operational readiness for personnel who are already familiar with the equipment.
- Minimum Government Requirement: The Bauer MINI-UNI/13-E3 model meets the exact operational requirements for the facilities, including the charging rate, pressure, and electrical configuration, without requiring costly facility modifications

C. UNUSUAL AND COMPELLING URGENCY No

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 bids or proposals. Urgent requirements are supplies or services that will result in a work stoppage, or are mission critical and the routine processing time would result in injury to the Government. The determination that the procurement for the above item/service is an urgent and compelling requirement is based on the following:

Discuss why you are precluding consideration of a product manufactured by another company. Describe how the particular brand name, product, or feature is essential to the Government's requirements and why a "brand name or equal" purchase description cannot be used (see FAR 11.1014). Describe how market research indicates other companies similar products and products lacking the particular feature do not meet, or cannot be modified to meet, the agency's need.

1. Date on which the requirement was first identified:

2. Required delivery date/period of performance: to

3. Explanation of why delivery/commencement of services by the date mentioned above is required: Explain the impact to the mission if the date above is not met, any special circumstances or conditions that exist which validate the requirement as "urgent," estimated production lead time for the item, etc.

- Mission Impact: The existing compressors are failing and at their end-of-life, posing an unacceptable risk to firefighter safety and mission readiness. Delaying the procurement would leave fire stations without a reliable source of certified pure breathing air, which is an essential life-safety requirement.
- Urgency: The urgency is driven by the need to avoid unacceptable delays and operational risks. Procuring an alternate brand would require structural and electrical facility modifications, leading to extended downtime for critical breathing-air replenishment capabilities. Furthermore, using a different brand would void the warranties on the existing life-safety infrastructure and disrupt the established regional maintenance and logistics chain for Bauer systems.

4. If appropriate, include any additional pertinent information:

CERTIFICATIONS/APPROVALS:

TECHNICAL CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Exception to Fair Opportunity and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance

[redacted]

I certify that the facts and representations under my cognizance which are included in this Exception to Fair Opportunity and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Requirements Cognizance

[redacted]

CONTRACTING OFFICER CERTIFICATION

I certify that this Exception to Fair Opportunity is accurate and complete to the best of my knowledge and belief. The Contracting Officer\\\'s signature below represents approval of this document.

Contracting Officer's Signature

[redacted]

LEVEL ABOVE CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief. The Level Above the Contracting Officers signature below represents approval of this document.

Level Above the Contracting Officer

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

Legal Sufficiency Review

CONTRACTING ACTIVITY COMPETITION ADVOCATE REVIEW

Contracting Activity Approval

HEAD OF CONTRACTING ACTIVITY APPROVAL

Upon the basis of the above justification, I hereby approve, as Head of Contracting Activity, the solicitation of the proposed procurement described herein using other than full and open competition, pursuant to the authority of (Placeholder for US code citation)

HCA Approval