MEMORANDUM TO THE FILE

Subj: JUSTIFICATION OF OTHER THAN FULL AND OPEN COMPETITION FOR A FAR PART 13 ACQUISITION UNDER THE SIMPLIFIED ACQUISITION THRESHOLD

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 (or portion of the requirement to be sole-sourced) is not expected to exceed the simplified acquisition threshold.

II. DESCRIPTION OF ITEM OR SERVICE:

Procurement is for nine (9) assorted band instrument cases. All requested cases are designed for the unit's current inventory. This purchase will ensure mission readiness in providing support for the 3d Marine Aircraft Wing. Each instrument case must be specifically fit to the instrument listed in the salient characteristics; see salient characteristics list.

These cases all hold instruments that are in inventory by U.S. Marine Field Bands (MOS 55XX).

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. 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. 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.

B. _X_ ***BRAND NAME***

Items required must be a brand name, product, or feature of a product, particular to one manufacturer.
Marine Band requires the purchase of brand name SKB ATA flight cases, with a custom fit interior design for each instrument to protect against the rigors of air travel and transport in cargo trucks. The case's exterior must withstand the stresses of airline and automobile travel where

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damage is commonplace while allowing no harm to come to the instrument inside. The exterior must be water and dust-tight and all parts must be resistant to impact, corrosion, ultraviolet light, solvents, and fungus. Must have trigger release latches, a hinge lid, wheels, and snap down cushion grip handles, including a carrying handle and a pull handle.

The integrity of the instrument case cannot be understated. The instruments' wellbeing is of utmost importance to the band's sound quality and performance. Should the instrument fit anything less than snug, damage may occur and defeat the purpose of being cased at all. The case must be an injection molded mil-spec case made of high-strength polypropylene copolymer resin. The interior must be fitted with a 2 lb. polyethylene foam insert custom cut that securely holds a Conn 8D fixed bell French horn without damage during commercial air travel. Interior dimensions must be 23 inches long by 17 inches wide by 14 inches deep.

Additionally, getting the cases fit to the instrument requires the instrument to be physically presented to the vendor. Shipping these instruments out invites risk for damage, incurs shipping costs, and implies lead time between the shipment, fitting, and return. The case must be procured from a vendor within 45 miles max driving distance of MCRD San Diego. This eliminates the risks for the above-mentioned issues.

C. ___*URGENT AND COMPELLING.* 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:

1. Date on which the requirement was first identified:

2. Required delivery date/period of performance:

3. Explanation of why delivery/commencement of services by the date mentioned above is required:

V. CERTIFICATIONS:

A. Technical / Requirements 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.

AGUIRRE.ESTEBAN.RUBEN.1392597499 Digitally signed by AGUIRRE.ESTEBAN.RUBEN.1392597499 Date: 2026.08.12 14:21:12 -07'00' GySgt Aguirre, Este (858) 307-8301 20260411

Signature Name (Printed) / Phone # Date

B. Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

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KANOA.NINA.ANNETTE.1154125678 Digitally signed by KANOA.NINA.ANNETTE.1154125678 Date: 2026.08.12 14:31:44 -07'00' Nina Kanoa, 760-63-6860 20 May 2026

Signature | Name (Printed) / Phone # | Date

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