

**U.S. Environmental Protection Agency, National Enforcement Investigations Center
Justification for Other than Full and Open Competition**

1. This justification for other than full and open competition (JOFOC) is provided by the EPA Office of Acquisition Management on behalf of the EPA's Office of Civil Enforcement (OCE).
2. In accordance with FAR Part 13.5, a fixed-price Purchase Order will be issued to FLIR Systems, Inc. of North Billerica, Massachusetts.
3. OCE's Air Enforcement Division requires two FLIR GF320 infrared (IR) cameras to use for determining compliance with Leak Detection and Repair (LDAR) provisions in the Clean Air Act, including Reference Method 21 monitoring. EPA has developed this Clean Air Act monitoring method for air toxics and volatile organic compounds (VOCs) based on its existing FLIR IR cameras. In addition to the cameras, a telephoto lens for each – for detecting gas releases at greater distances – and a one-year extended warranty on the cameras is required. The total estimated value of these items is \$206,000.
4. The statutory authority permitting other than full and open competition is 41 U.S.C. 427(f)(2) and FAR 13.501(a) (1).
5. EPA has determined that FLIR Systems, Inc. is the only source of IR gas-imaging cameras that can satisfy OCE's requirement. The required camera and lenses are specific to and compatible with EPA's investigative procedures for air toxics and volatile organic compound (VOC) monitoring under EPA Reference Method 21. The needed items are only available directly from FLIR.
6. A notice of intent to issue a sole source award to FLIR Systems, Inc. was posted on FedBizOpps. No responses were received.
7. The prices for the purchased items have been determined to be fair and reasonable through comparison with FLIR's published commercial prices as of March 2010.
8. Market research was conducted and it was found that the only other available source of gas-imaging cameras is Gas Imaging Technology, LLC (GIT). GIT manufactures a camera called the Sherlock VOC. This product, however, is not suitable for NEIC requirements as it is too large for conducting Method 21 investigations which involve navigating narrow walkways and climbing ladders. The Sherlock VOC is the size of a small suitcase and must be carried using a harness. A second individual would need to carry and operate a video recorder of the gas leak images, which makes the product even more impractical for Agency requirements.

An internet search and survey of GSA Advantage was conducted and verified that FLIR Systems is the only source for procuring the required items.
9. For this procurement, there are no other facts supporting the use of other than full and open competition.
10. No other source expressed an interest in this acquisition.
11. EPA will continue to conduct market research for subsequent similar requirements to determine if any additional viable sources become available.

12. This justification is accurate and complete to the best of my knowledge and belief.

Contracting Officer

Rachel Schwartz

8/25/10
Date

I certify that the supporting technical data which forms the basis of this justification is complete and accurate.

Cognizant Technical Official

Cary Sewest

8/20/10
Date