

Memorandum for Record – Limiting Competition at or Below the Simplified Acquisition Threshold

1.0 CONTRACTING ACTIVITY:

ARMY CONTRACTING COMMAND – ABERDEEN PROVING GROUND
TOBYHANNA DIVISION
11 HAP ARNOLD BLVD
TOBYHANNA, PA 18466-5100

2.0 DESCRIPTION of ACTION:

FISCAL YEAR: 2027 ☐ OMA ☒ AWC ☐ OTHER:

☒ NEW REQUIREMENT ☐ FOLLOW-ON REQUIREMENT PAN NO.: _____

PURCHASE REQUEST NO.: _____ MORE THAN 1 PR? ☒ NO ☐ YES

BRAND NAME ONLY? ☐ NO ☒ YES

NAME of PROPOSED CONTRACTOR and ADDRESS:

TYPE of CONTRACT:

PKG Equipment Inc.
367 Paul Road
Rochester, NY. 14624
Phone: (585) 436-4650
POC Email:
ATTN: Phillip Giambrone

☒ FIRM FIXED PRICE ☐ COST REIMBURSABLE
☐ TIME & MATERIALS/LABOR HOURS ☐ HYBRID

3.0 DESCRIPTION of REQUIREMENT:

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REQUIRED DELIVERY DATE: 12-14 weeks

This requirement is for:

Procurement of one (1) custom-engineered, chemically resistant drop-in/bonded tank liner engineered specifically for the dimensions, structural welds, and chemical tolerances of Paint Strip Tank PS-10.

Once the part is ordered the manufacturer will have the delivery completed within 12-14 weeks

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4.0 AUTHORITY: (To be filled out by the Contracting Activity)

☒ FAR 13.106-1(b)(1):
PURCHASES **NOT EXCEEDING** the **SIMPLIFIED ACQUISITION THRESHOLD, (SAT), \$250,000.00**, ONLY ONE SOURCE
REASONABLY AVAILABLE, URGENCY, EXCLUSIVE LICENSING AGREEMENTS, BRAND NAME, or INDUSTRIAL MOBILIZATION.

OR

☐ FAR 8.405-6(a)(1)(i)(B) and 8.405-6(b)(1): BRAND NAME

☐ FAR 8.405-6(a)(1)(i)(A): URGENCY

☐ FAR 8.405-6(a)(1)(i)(B): ONLY ONE SOURCE is CAPABLE

☐ FAR 8.405-6(a)(1)(i)(C): LOGICAL FOLLOW-ON

OR

☐ FAR 16.505(a)(4): BRAND NAME

☐ FAR 16.505(b)(2)(i)(A): URGENCY

☐ FAR 16.505(b)(2)(i)(B): ONLY ONE Awardee is CAPABLE

☐ FAR 16.505(b)(2)(i)(C): LOGICAL FOLLOW-ON

☐ FAR 16.505(b)(2)(i)(D): MINIMUM GUARANTEE

5.0 REASON for AUTHORITY CITED:

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Proprietary Technical Data: PKG Equipment is the original manufacturer of Paint Strip Tank PS-10 and possesses the proprietary fabrication drawings, engineering tolerances, heating element clearances, tank ancillary clearances, and material compatibility data. The U.S. Government does not own the technical data package (TDP) or manufacturing-level drawings required to compete the fabrication of this liner.

Substantial Duplication of Cost & Schedule: Attempting to reverse-engineer the liner would require laser-scanning, drafting, structural/chemical validation, and specialized tooling. This would result in substantial duplication of cost not expected to be recovered through competition and an substantial delay.

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6.0 PUBLICIZING CONTRACT ACTIONS:

FOR FAR PART 13 ACTIONS, the PUBLIC DISPLAY and SYNOPSIS REQUIREMENTS of FAR 5.101 and 5.203...

- ☐ (a) ... do NOT apply due to the \$25,000.00 threshold; ☐ (b) ... apply and WILL be followed;
☐ (c) ... do NOT apply due to exception at 5.202

REQUIREMENT to POST JUSTIFICATION in ACCORDANCE with FAR 8.405-6(b)(3), FAR 13.105(c), or FAR 16.505(a)(4)(iii)(A)...

- ☐ Action is NOT a brand name restriction and will be followed
☒ Action is a brand name restriction, UNDER \$25K – NO POSTING REQUIRED.
☐ Action is a brand name restriction, OVER \$25K. It will be redacted and posted with the solicitation.
☐ Action is a brand name restriction, OVER \$25K, but will NOT be posted due to exception:

7.0 MARKET RESEARCH:

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Market research conducted in accordance with FAR Part 10 indicated that while third-party industrial tank lining companies exist, none possess the technical specifications or CAD models for PS-10. Third parties would require prolonged on-site reverse engineering and cannot guarantee structural fit without substantial design lead time.

8.0 OTHER FACTS:

SHOW Red Text Again (Click HERE).