

**United States Department of Agriculture
Justification to Restrict Competition under FAR Part 8
Over the Simplified Acquisition Threshold
Identification Number:**

In accordance with the Federal Acquisition Regulation (FAR) 8.4 and General Services Administration Acquisition Manual (GSAM) 538.7104-3 (b), the following justification documents the decision to restrict competition for this acquisition.

(1) Mission Area and Contracting Activity.

Requisition Number: 1171080

Requesting Activity Agency:
USDA, APHIS, PPQ, PEIP, NIS, RPIP
200 Chestnut St, Rm 806
Philadelphia, PA 19106

Contracting Activity:
USDA, Office of Contracting and Procurement, Procurement Operations Division

(2) Nature and/or description of the action being approved.

New contract for brand name Nikon Instruments microscopes and components. This will be a firm-fixed price contract. This purchase will support New World Screw worm as well as continued continuity for our APHIS PPQ scientific configurations for the area identifiers.

These products are commercial in nature and will be procured utilizing the procedures in FAR Part 8 and GSAM 538.71.

The suggested contractor is:
Nikon Instruments Inc.
1300 Walt Whitman Road
Melville, NY 11747
UEI: SP3XF3BGBSB3

(3) A description of the supplies or services required to meet the agency's needs (including the estimated value).

The required supplies are Nikon SMZ 18 Stereo Microscopes with LED Ringlights, Camera Systems, and other accessories as listed below.

Based on quote#00227017 dated 8/25/26

Quantity 13 – SMZ-18 stereo microscope with associated components - [REDACTED]
Quantity 13- SMZ18 LED Ringlight and Combo Gooseneck with Bracket [REDACTED]
Quantity 163- Nikon DS-100 17.7MP Color Camera System with adapter - [REDACTED]
Quantity 4 – Ni-L compound microscope with associated components - [REDACTED]

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Quantity 6 – NIS Elements D software package single - [REDACTED]
Quantity 422 – Software upgrades for NIS Elements D software - [REDACTED]
Quantity 200 – LED lamphouse upgrade for Ni-U/E80i microscopes - [REDACTED]
Quantity 185 – Trinocular head upgrade for Ni-U/E80i microscopes - [REDACTED]
Quantity 11 – DIC components to upgrade Ni-U microscope - [REDACTED]

Period	Fiscal Year	Total
BASE	FY26	[REDACTED]
Evaluation of FAR 52.217-8		N/A
Grand Total		[REDACTED]

(4) Identify the statutory authority permitting other than full and open competition.

The statutory authority supporting the placement of an order or establishment of a Federal Supply Schedule order that exceeds the Simplified Acquisition Threshold (SAT) on a sole source basis is: GSAM 538.7104-3 (b)(ii) - Only one source is capable of providing the products, services, or solution required at the level of quality required because the products, services, or solutions are unique or highly specialized.

(5) Demonstrate that the proposed contractor's unique qualifications or the nature of the acquisition requires using the authority cited.

The Plant Protection and Quarantine (PPQ) Remote Pest Identification Program (RPIP) is located within the National Identification Service (NIS). RPIP provides “state of the art scientific equipment configurations to PPQ Identifier and non-Identifier at OCONUS and CONUS sites for biological specimen identification in support of PPQ domestic, and Agriculture Quality Inspection (AQI) programs at US ports of entry and emergency program activities. To date, RPIP has fifty-six (56) sites and one hundred fifty (150) configurations in the program.

These instruments will be integrated into the scientific equipment configurations, which contain identical microscopes and microscope special-purpose cameras manufactured by Nikon Instruments, Inc. This is a unique system configured by Nikon Instruments, Inc. specifically to the agency’s needs.

It is imperative that all configurations are the same for training and continuity purposes. PPQ has an emergency response component within its program activities, so it is vital that strict configuration control is applied to the deployment and maintenance of RPIP scientific equipment configurations. Since all configurations are identical for each supported discipline, identifiers can easily collaborate on identification problems or techniques with other identifiers. RPIP personnel can easily provide biological equipment support as needed at a distance. At any time, a USDA identifier may be required to work at an emergency location that is not their normal duty station and must be able to work without the need to learn a different set-up.

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The Nikon SMZ18 Zoom Stereomicroscope, Nikon Ni-L Compound microscope, NIS Elements D software upgrades, NIS Elements D software single agreement, Nikon DS-100 camera, DIC (differential interface contrast) components for Ni-U/Ni-L microscope, LED light source for Ni/80i compound microscopes, 3-Way trinocular head for compound microscopes, LED Ring Light and NII-LED Fiber Optic illuminator with mounting bracket is uniquely configured specifically to the agency's needs. Nikon Instruments Inc. has exclusive rights and holds patents on this equipment and is the sole manufacturer and licensed distributor of these instruments. The equipment can only be serviced for repair through Nikon Instruments Inc. and/or a Nikon Instruments authorized service provider. The DS-100 camera will be an added upgrade from the existing and outgoing DS-Fi3 camera system, providing greater resolution, speed and sensitivity.

The Nikon SMZ18 Zoom Stereomicroscope, Nikon Ni-L Compound microscope, NIS Elements D software upgrades, NIS Elements D software single agreement, Nikon DS-100 camera, DIC (differential interface contrast) components for NI-U microscope, LED Ring Light and NII-LED Fiber Optic illuminator with mounting bracket have the following required characteristics:

- a. SMZ-18 must have 0.5x and 1x Plan Apo parfocal objectives on rotating nosepiece. Must include capability for upgrade to encode nosepiece with Control Box A if desired later. Must have a bayonet mount for objectives for strength and stability for Plan Apo objectives. Must have a combination light guide with 29" gooseneck, total 57" including flexible light guide, for optimal lighting of specimen from all angles, attached to the trans-illumination base. Must include LED-based oblique coherent contrast (OCC) in trans-illumination base. Minimum performance for 1x Plan Apo NA >0.15 with a minimum 60mm working distance. Minimum performance for 0.5x Plan Apo NA 0.075 with minimum 71mm working distance. 0.5x and 1x objectives must be parfocal to minimize refocusing when changing magnifications.
- b. Ni-L compound microscope must have 10x eyepiece, the following lens' – Flat Field achromat 4x, Plan Fluor phase contrast 10x, Plan Fluor phase contrast 20x, Plan Fluor phase contrast 40x, Plan Fluor phase contrast 60x, and Plan Fluor phase contrast 100x oil immersion objective lens.
- c. NIS Elements D upgrade agreement for software currently being used by area identifiers and an additional NIS Elements D single document interface.
- d. Nikon DS-100 camera must have 17.7MP 25mm FOV 12bit color with 2.4um pixel size USB-C and HDMI compatible with .55x c-mount relay lens.
- e. DIC components are specifically designed to be used on the Ni/80i compound microscope that identifiers are currently using. The phase components will be taken off the scope and stored to be used if part breakage and DIC components will be installed. The components must have DIC nosepiece, D-C condenser module, D-C phase rings (PH-1, PH-2, PH-3), DIC rotatable polarizer ¼ wave plate, analyzer slider for DIC Nosepiece slot and DIC sliders (20x, 40x, 60x, and 100x).
- f. P2-FIRL LED ring light must be 81mm diameter, episcopic illumination unit that effectively captures images, variable LED control and can be used with the Nikon SMZ18 with the 1x and 0.5x objective lenses.

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- g. NII-LED fiber optic illuminator must have 40,000-hour lifetime, 5000K color temp, fan cooled, 2000+ lumens output, weigh 6 lbs. and have dimensions of 7.0" W x 4.9"H x 8.8"D.

(6) A determination by the Contracting Officer that the order represents a fair and reasonable price.

The Contracting Officer reviewed the proposed order pricing against the contractor's GSA Schedule rates and confirmed that the proposed quantities are consistent with the requirement and do not exceed approved Schedule rates. Although GSAM 538.7102-2(d) waives a formal determination, an appropriate price evaluation was completed. Based on this review, the anticipated cost is considered fair and reasonable. GSA pricing is pre-negotiated and is considered fair and reasonable.

(7) A description of the market research conducted among schedule holders and the results, or a statement of the reason Market Research was not conducted.

Market research was not performed as we have bought this equipment previously as a sole source based on equipment compatibility. Nikon microscopes, cameras, lights and accessories as requested for this order are found on the GSA Federal Supply Schedule. It is imperative that all configurations are the same for training and continuity purposes. PPQ has an emergency response component within its program activities, so it is vital that strict configuration control is applied to the deployment and maintenance of RPIP scientific equipment configurations. Since all configurations are identical for each supported discipline, identifiers can easily collaborate on identification problems or techniques with other identifiers. RPIP personnel can easily provide biological equipment support as needed at a distance. At any time, a USDA identifier may be required to work at an emergency location that is not their normal duty station and must be able to work without the need to learn a different set-up.

(8) Any other facts supporting use of other than full and open competition, such as:

In addition to what has been answered in #5, Nikon provides free support and ongoing training/support for all the microscopic equipment which is unique to Nikon Instruments. Their competitors do not offer this free service.

(9) A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition of the supplies or services required.

To enhance competition and remove barriers for subsequent acquisitions of the Vibration Analysis Program, the agency plans to attempt developing non-proprietary technical specifications and updating statements of work that are not reliant on proprietary data, which is challenging to replicate by other vendors. Although we will conduct regular market research and engage with industry to identify new sources and emerging technologies, it is unlikely that these efforts alone will overcome the significant barriers posed by the specialized nature and proprietary technologies of the current program.

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Attempts will be made to promote vendor capability development through pre-solicitation briefs and technical workshops, offering performance standards early in the acquisition process. Despite these efforts, creating a genuinely competitive environment may be difficult. The agency will explore incremental acquisition strategies and encourage partnerships and subcontracting to broaden the contractor base. While committed to a continuous review for improvement, the proprietary elements and unique requirements of the program suggest that significant barriers to competition will likely remain.

(10) Certifications & Approvals

Technical / Requirements Personnel Certification

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

[REDACTED]

[REDACTED]

(11) Contracting Officer's Certification

I certify that the data supporting the recommended use of other than full and open competition accurate and complete to the best of my knowledge and belief.

[REDACTED]

[REDACTED]

(12) Competition Advocate (greater than \$900,000 but not exceeding \$20M).

I have reviewed this justification and find it to be accurate and complete to the best of my knowledge and belief. Therefore, unless additional approvals are required as prescribed below, as advocate for competition for the procuring activity, I hereby approve this justification. If required, my approval constitutes clearance for submission to the Head of the Contracting Activity (HCA).

[REDACTED]

[REDACTED]