

## NOTICE OF INTENT TO SOLE-SOURCE

This contract action is for the acquisition of a maintenance contract for which the Government intends to solicit and negotiate with only one source under the authority and procedures of Federal Acquisition Regulation (FAR) Subpart 13.106-1(b). The National Institute of Environmental Health Sciences (NIEHS), Office of Acquisitions (OA) intends to award a single source purchase order to Astrophysics Inc., City of Industry, CA to procure a one (1) year service and maintenance contact for a cargo x-ray machine. The cargo x-ray machine is used to inspect cargo arriving at the NIEHS warehouse. The machine was manufactured by and purchased from Astrophysics Inc. It uses proprietary technology and software, making its manufacturer the sole source.

It has been determined that Astrophysics Inc. is the only source that can meet the requirement, as it is it does not allow other companies to use its proprietary technology and software or make repairs to its products.

The associated North American Industrial Classification System (NAICS) code for this procurement is 811219 – Other Electronic and Precision Equipment Repair and Maintenance. Its associated Small Business Size Standard is \$22 million.

NIEHS will solicit and negotiate directly with Astrophysics Inc. and no solicitation will be issued. This notice of intent is not a request for competitive proposals or quotations; however, if an interested party believes they can meet the above requirement, all responsible sources may submit a capability statement which shall be considered by the agency. The statement must be submitted in writing and must contain material in sufficient detail to allow the Government to determine if the party can perform the requirement. Respondents must have an active registration in the System for Award Management (SAM) [www.sam.gov](http://www.sam.gov). A determination by the Government not to compete this proposed requirement based on responses to this notice is solely within the discretion of the Government. All interested parties must express their interest in writing via email to [beth.kuhaneck@nih.gov](mailto:beth.kuhaneck@nih.gov) by 3:00 pm Eastern time within two (2) business days of the posting of this notice. No faxed documents will be accepted. If no responsive statements are received within the stated time, an award will be made to Astrophysics Inc.