

DEPARTMENT OF THE NAVY

NAVSUP WEAPON SYSTEMS SUPPORT

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MECHANICSBURG PA 17055-0788

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION**

Folder Number: 15260-0061

Requisition/PD# N0038315X1390

The format of this Justification and Approval (J&A) was reviewed by NAVSUP WSS Office of Counsel. No Change to the format or content of the preprinted portion of this document is allowed. Any revision to the preprinted portion of this document must be individually reviewed and approved in writing by NAVSUP WSS Office of Counsel.

<input type="text"/>	<input type="text"/>	<input type="text" value="N98211.53"/>
Item Manager's Name	Extension	Code
<input type="text"/>	<input type="text"/>	<input type="text" value="N98214.02"/>
Technician's Name	Extension	Code
<input type="text"/>	<input type="text"/>	<input type="text" value="N761.02"/>
Buyer's Name	Extension	Code

1. **CONTRACTING ACTIVITY:**  NAVSUP WSS Philadelphia  NAVSUP WSS Mechanicsburg

2. **DESCRIPTION OF THE ACTION BEING APPROVED:** Negotiation and award of a contract through other than full and open competition.

3. **DESCRIPTION OF SUPPLIES/SERVICES:** This J&A covers the acquisition of the following article(s):

Nomen: <input type="text" value="Spraybar, Afterburner"/>	Quantity: <input type="text"/>
NSN: <input type="text" value="1RM 2840 014436022 SY"/>	CAGE Code: <input type="text" value="99207"/>
P/N: <input type="text" value="5110T31P03"/>	Unit Price: \$ <input type="text"/>

The required delivery date is:  Estimated Value (include option): \$  Option:  YES  NO %  Days

Ship To:

Line of Accounting

4. **STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION:** This J&A is based upon the authority of 10 USC 2304(c)(1), one source or limited sources, as implemented by FAR 6.302-1.

5. **RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:**

The current Acquisition Method Code/Acquisition Method Suffix Code (AMC/AMSC) is:    multiple codes see pg 2 for definitions C1 Spares J&A Rev OCT 2015

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AMC 2. Suitable for competitive acquisition for the first time.

AMSC B. This part must be acquired from a manufacturing source(s) specified on a source control or selected item drawing as defined by the current version of DoD-STD-100. Suitable technical data, Government data rights, or manufacturing knowledge are not available to permit acquisition from other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Data review discloses that required data or data rights are not in Government possession and cannot be economically obtained.

This acquisition will be negotiated with: [REDACTED]

Full and open competition is not possible for this procurement because the Government has only "limited rights" in the technical data. Material is GE Source Controlled/Supplier Interface to Parker Hannifin Corp, Critical Safety Item (CSI) and requires OEM Vendor Substantiation Engineering (VSE) approval. The government has the right to use and disseminate the data internally, but lacks the right to distribute that data outside the government to conduct full and open competition among other potential offerers."

**6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:** The proposed contract action was synopsised and included a Sources Sought Notice on the FedBizOpps website for government-wide point of entry on

9/21/2015

and as a result:  
[REDACTED]

Market Research was conducted in accordance with FAR part 10. The results of the Market Research conducted (or the reason market research was not conducted) is as follows:

The Spraybar is AMC/AMSC 2B, Vendor Substantiation Required, (supply interface drawing), and General Electric and Parker Hannifin Corp. are the only approved sources of supply. All interested sources must qualify IAW the Design Control Activity (GE) procedures as approved by NAVAIR prior to contract award. Available data including publications, drawings and specifications required to manufacture and maintain the quality of this item are not available to the Government for purchase. The Government does not possess the manufacturing data necessary to support full and open competition. The configuration and criticality of this item was verified using current maintenance publications, DCA drawing and the JDRS website. There are no (SAR) Source Approval Requests currently being reviewed by NAVSUP WSS Engineering concerning this item.

**7. DETERMINATION OF FAIR AND REASONABLE COST:** The contracting officer determines that the anticipated cost to the Government of the supplies covered by this J&A will be fair and reasonable.

**8. ACTIONS TO REMOVE BARRIERS TO FUTURE COMPETITION:**

For reasons set forth in Paragraph (5) & (6), NAVSUP WSS has no plans at this time to compete future contracts for the types of supplies/ services covered by this document. The NAVSUP WSS will send a letter to GE in an attempt to procure the required manufacturing and qualifying data. When the contractor's response is received, an economical evaluation will be performed to determine if the Government will acquire the data. If the determination is made not to acquire the data, the reason(s) will be documented and the acquisition of data process terminated. If the Government determines to acquire the data, it is estimated that it will take a minimum of eighteen (18) months for the contractor to prepare and submit the data with an additional four (4) months for the NAVSUP WSS to review the data and develop a complete data package. Also to promote competition the NAVSUP WSS will continue to encourage manufacturers with the expertise to manufacture the subject item to submit a complete technical data package for review and source approval by the appropriate engineering source approval authority per the (WSS) guidelines. Also future requirements will be advertised in the FedBizOpps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval Requests. If another potential manufacturing source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible.

**9. REFERENCE TO THE APPROVED ACQUISITION PLAN:**

A Formal Acquisition Plan / Pre-Solicitation Strategy Form is required for this acquisition.

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**CERTIFICATIONS AND APPROVAL**  
**TECHNICAL/REQUIREMENTS CERTIFICATION**

I certify that the facts and representations under my cognizance which are included in this Justification and which form a basis for this justification are complete and accurate to the best of my knowledge and belief

**Technical Cognizance:**

			Nov 23, 2015
Signature	Name	Phone	Date

**Requirements Cognizance:**

			Nov 23, 2015
	Name	Phone	Date

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

			Nov 30, 2015
	Name	Phone	Date

**CONTRACTING OFFICER CERTIFICATION**

I certify that this Justification is accurate and complete to the best of my knowledge and belief.

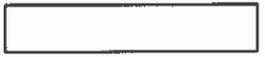
			12/15/15
Signature	Name	Phone	Date

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally

			12/10/15
Signature	Name	Phone	Date

**APPROVAL REQUIRED BY FAR 6.304**

			
Signature	Name	Phone	Date

**FAR 6.304 Approval Levels:**

\$150,000 - \$700,000:	Contracting Officer
Over \$700,000 - \$13,500,000:	Competition Advocate
Over \$13,500,000 - \$93,000,000:	HCA (delegated to NAVSUP WSS 00 and 09)
Over \$93,000,000:	ASN (RD&A)