



UNITED STATES MARINE CORPS
 MARINE CORPS LOGISTICS COMMAND
 814 RADFORD BLVD
 ALBANY, GEORGIA 31704-1128

IN REPLY REFER TO:

J&A No. MCLC 13514

**JUSTIFICATION AND APPROVAL FOR
 USE OF OTHER THAN FULL AND OPEN COMPETITION**

1. Contracting Activity.

Marine Corps Logistics Command, Contracts Department (S1922), Albany, GA

2. Description of Action Being Approved.

The authority sought by this J&A is the approval to award a firm-fixed price contract on a sole source basis to L-3 Communications Cincinnati Electronics Corp. (Cage 80045), 7500 Innovation Way, Mason, OH 45040

3. Description of Supplies/Services.

This J&A authorizes and approves the award of a sole source, firm-fixed price, contract to L-3 Communications Cincinnati Electronics Corp. (Cage 80045), 7500 Innovation Way, Mason, OH 45040 for refurbishment of the items listed below in support of Amphibious Assault Vehicle. The period of performance is 90 days after contract award. The maximum value of this award is [REDACTED]

NSN 1240-01-554-1735; P/N 777767; PR # M98823-5037-C001, Nomenclature: Thermal Elbow Assembly; Qty 10 ea. Estimated Repair Price [REDACTED] each. Total [REDACTED]

Estimated Dollar Value

	FY15
NWCF	[REDACTED]
Total	[REDACTED]

4. Statutory Authority Permitting Other Than Full and Open Competition.

The cited authority for permitting other than full and open competition is 10 U.S.C. Section 2304(c)(1), as implemented by the Federal Acquisition Regulation (FAR) 6.302-1, Only One Responsible Source and No other Supplies or Services will Satisfy Agency Requirements.

5. Rationale Justifying Use of Cited Statutory Authority.

L-3 Communications is the sole designer, developer, and integrator of the items listed above. As a result, L-3 Communications is uniquely qualified to provide the completed range of hardware required. L-3 Communications is also the only known firm that possesses the technical data, drawings, and specifications necessary to fulfill the Government's requirements. Given L-3 Communications involvement with the design,

development, qualification, manufacturing, and continuing improvements of the items listed above readily available to them. In addition much of the technical data, material and manufacturing processes required to manufacture these items were developed by L-3 Communications. The privately developed data, along with the corporate expertise are the sole property of L-3 Communications.

PGI 217.7506 establishes the DOD Spare Parts Breakout Program. It applies to any centrally managed replenishment or provisioned part for military systems and equipment and to all DOD personnel involved with design control, acquisition and management of such parts. The objective of the program is to reduce costs through the use of competitive procurement methods, or the purchase of parts directly from the manufacturer rather than the prime contractor, while maintaining the integrity of the systems and equipment. It involves determining the feasibility of acquiring parts by competitive procedures. It establishes procedures for screening and coding parts to provide contracting officers summary information regarding technical data and sources of supply to meet the Government's minimum requirements. This information assists the contracting officer in selecting the method of contracting, identifying sources of supply and making other decisions in the pre-award and award phases, with consideration for established parameters of system and equipment integrity, readiness and the opportunities to competitively acquire parts. The results of the screening process (technical review) are indicated by an acquisition method code (AMC) and an acquisition method suffix code (AMSC). The assignment of AMC/AMSC codes is the responsibility of the breakout program managers.

The parts in question have been assigned AMC Code 3, which mean acquire, for the second or subsequent time, directly from the actual manufacturer. The parts with AMSC assigned D meaning the data needed to produce these parts from additional sources are not owned by the Government and cannot be purchased. For the spares listed on this document, the contract specialist asked the WSMC to confirm the accuracy of the AMC/AMSC codes. By their signature on this document, they have verified that at this point in time, the correct codes are 3D for the parts in question.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Possible

This effort will be synopsised in FedBizOps in accordance with the requirements in FAR 5.2. The notice will specifically state there is no technical data available and the government intends to negotiate a sole source contract with L-3 Communications. All responses that are received will be evaluated prior to award of the contract. Market research, in accordance with FAR Part 10, will be conducted by synopsis of the proposed action advising industry, and soliciting information from interested parties. No additional market research will be conducted because it is not practical, for the reasons discussed in paragraph 5 above, for any company other than L-3 Communications to provide the required supplies.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer has determined the anticipated cost to the Government of the supplies covered by this J&A will be fair and reasonable. The fair and reasonableness of the cost/price will be based on an analysis of the contractor's cost/price proposal, including backup information supporting the cost/price and previous history. It is anticipated this analysis will be conducted using experienced contract specialist and field pricing support.

8. Actions to Remove Barriers to Future Competition.

For reasons set forth in Paragraph 5, the Marine Corps has no plans at this time to compete future contracts for the types of supplies covered by this J&A. If another potential source emerges, the Marine Corps will assess whether competition for future requirements is feasible.

CERTIFICATIONS AND APPROVALREQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance, which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Requirements Cognizance:

(Signature) Brenda G. Shy Date 1 Jul 15

Printed Name and Phone No. BRENDA G. SHY, Director, WIPD (229) 639-5790

LEGAL SUFFICIENCY REVIEW

I have determined that this Justification is legally sufficient.

(Signature) Robert J. Drone Date 14 JUL 15

Printed Name and Phone No. ROBERT J. DRONE, (229) 639-7096

CONTRACTING OFFICER CERTIFICATION

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

(Signature) Barbara A. Banks Date 10 July 15

Printed Name and Phone No. BARBARA A. BANKS, (229) 639-6761