



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

IN REPLY REFER TO:

MCLC JA 13474

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

1. Contracting Activity.

Marine Corps Logistics Command, Contracts Department (S1930), 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 Knight's Armament Company, (CAGE 1S002), 701 Columbia Blvd, Titusville, FL 32780-7902.

3. Description of Supplies/Services.

This J&A authorizes and approves the award of a sole source contract to Knight's Armament Company, (Cage 1S002), 701 Columbia Blvd, Titusville, FL 32780-7902 for procurement of the part listed below in support of M4A1 Carbine Gun Silencer. The period of performance is 90 days or less after contract award. The maximum value of this award is [REDACTED]

- a. NSN 1005-01-437-0324; P/N 96062-1; PR # M98551-4218-3003, Nomenclature: Suppressor, Small Arms Weapon, Quantity 894 ea. [REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]

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

The cited authority for permitting Other Than Full and Open Competition is 41 U.S.C. Section 1901 as implemented by Federal Acquisition Regulation (FAR) Subpart 13.5, Test Program for Certain Commercial Items.

5. Rationale Justifying Use of Cited Statutory Authority.

Knight's Armament Company is the sole designer, developer, and integrator of the part listed above. As a result, Knight's Armament Company is uniquely qualified to provide the completed range of hardware required.

Knight's Armament Company is also the only known firm that possesses the technical data, drawings, and specifications necessary to fulfill the Government's requirements. Given Knight's Armament Company's involvement with the design, development, qualification, manufacturing, and continuing improvements of the part listed above readily available to them. In addition much of the technical data, material and manufacturing processes required to manufacture this part was developed by Knight's Armament Company. The privately developed data, along with the corporate expertise is the sole property of Knight's Armament Company.

Pursuant to PGI 217.7506, paragraph 1-105(e), Contracting Officers responsible for the acquisition of replenishment parts shall consider the Acquisition Methods Code (AMC) Acquisition Methods Suffix Code (AMSC) when developing the method of contracting, the list of sources to be solicited, the type of contract, and provide information inconsistent with the assigned AMC/AMSC to the activity responsible for code assignment with request for timely evaluation of the additional information.

The parts in question have been assigned AMC Code 3, which means acquire, for the second or subsequent time, directly from the actual manufacturer. The parts with AMSC assigned R meaning the data or the rights to use the data needed to purchase this part from additional sources are not owned by the Government and it has been determined that it is uneconomical to purchase them. This code was assigned at the conclusion of the full screening process. If one source is available, AMCs 3, 4 or 5 are valid.

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

This effort will be synopsised by the Contracting Specialist 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 Knight's Armament Company. All responses that are received will be evaluated prior to award of the contract. Market research, in accordance with FAR Part 10, was conducted by searching the Internet which showed Knight's Armament Company as the Original Equipment Manufacturer (OEM) and no other sources. 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 Knight's Armament Company for the required parts.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer has determined the anticipated cost to the Government of the parts 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 technical representative, contract specialist, and field pricing support.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, the Marine Corps has no plans at this time to compete future contracts for the types of parts covered by this J&A. If another potential source emerges, the Marine Corps will assess whether competition for future requirements is feasible. Logistics Command does not expect to obtain a technical package or develop a performance specification that will support competition for future acquisitions of the same or similar items.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS 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.

TECHNICAL/REQUIREMENTS CERTIFICATION:

Brenda G. Shy Date 8-14-14
BRENDA G. SHY, Director, WIPD (229) 639-5790

LEGAL SUFFICIENCY REVIEW

I have determined that this Justification is legally sufficient.

Robert J. Drone Date 6 Nov 14
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.

Barbara A. Banks Date 5 Nov 14
BARBARA A. BANKS, (229) 639-6761