



**DEFENSE LOGISTICS AGENCY  
AVIATION  
700 ROBBINS AVENUE, BUILDING 1, ROOM 2211  
PHILADELPHIA, PENNSYLVANIA 19111-5098**

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

Folder Number:

Requisition/PD#

Any revision to the preprinted portion of this document must be individually reviewed and approved in writing by DLA Office of Counsel.

<input type="text" value="Wayne Warren"/> Item Manager's Name	<input type="text" value="[REDACTED]"/> Extension	<input type="text" value="N98232.24"/> Code
<input type="text" value="Brian White"/> Technician's Name	<input type="text" value="[REDACTED]"/> Extension	<input type="text" value="N98232.52"/> Code
<input type="text" value="Matthew McKeever Stephen Girvin"/> Buyer's Name	<input type="text" value="[REDACTED]"/> Extension	<input type="text" value="APBB:06 APBA 003"/> Code

**1. CONTRACTING ACTIVITY:** DLA Aviation Strategic Acquisition at Philadelphia, PA

**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="POWER SUPPLY,UPS"/>	Quantity: <input type="text" value="[REDACTED]"/>
NSN: <input type="text" value="7R 1005-01-605-0238"/>	CAGE Code: <input type="text" value="78022"/>
P/N: <input type="text" value="393G31105-7"/>	Unit Price: <input type="text" value="[REDACTED]"/>

Estimated Value (include option):  the required delivery date is:

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:

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AMC 3. Acquire, for the second or subsequent time, directly from the actual manufacturer.

AMSC D. The data needed to acquire this part competitively is not physically available, it cannot be obtained economically, nor is it possible to draft adequate specifications or any other adequate, economical description of the material for a competitive solicitation.

This acquisition will be negotiated with: Northrop Grumman System Corp, (78022)

Northrop Grumman System Corp, (78022) because the articles to be acquired are highly specialized parts, designed and manufactured by a non-Government activity and the technical data required to manufacture by other than the above is not available. No other sources have expressed an interest to manufacture the subject item. In addition, available data has not been found adequate to support competitive acquisition. Currently Northrop Grumman owns all the data and is exercising proprietary rights to the same. In addition negotiations to acquire the data have to date been unsuccessful and NAVSUP WSS is presently unable to fully compete the subject item.

**6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:**

The proposed contract action was synopsised in the FedBizOpps website for government-wide point of entry on:

2/20/15

The following sources have expressed an interest in this acquisition:

None

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 data necessary to facilitate procurement of the Power Supply, UPS and all alternate sources must qualify IAW the design control activity's procedures, as approved by NAVAIR prior to contract award. Available data including all publications, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item are not available to purchase from other than the current approved source of supply Northrop Grumman System Corp, (78022). Data review discloses that all the manufacturing data including all manufacturing manuals, publications, associated drawings and specifications required to manufacture and maintain the quality of the subject item are not in Government possession and cannot be economically obtained. Without the manufacturing data it is not possible for any other source to manufacture the subject item. No other company has access to the manufacturing data that would enable them to manufacture the subject item. The government does not possess the manufacturing data necessary to support full and open competition. 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

**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. If another potential manufacturing source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible.

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

An ~~informal~~ formal acquisition plan is ~~is~~ not 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

[Redacted Signature] [Redacted] Brian White [Redacted] 1/13/15  
Name Date

**Requirements Cognizance:**

[Redacted Signature] [Redacted] Kevin Paton [Redacted] 1/13/15  
Name Date

**CONCURRENCE**

[Redacted Signature] [Redacted] [Redacted] JAN 28 2015  
Name Phone Date

**CONTRACTING OFFICER CERTIFICATION**

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

Robert J. Albino [Redacted] ROBERT J. ALBINO [Redacted] 4/07/2015  
Signature Name Date

**LEGAL SUFFICIENCY REVIEW**

[Redacted Signature] sufficient [Redacted] Sharif T. Dawson, Esq. [Redacted] 4/29/15  
Signature Associate Counsel Phone Date

**APPROVAL REQUIRED BY FAR 6.304**

[Redacted Signature] [Redacted Name] [Redacted Phone] [Redacted Date]  
Signature Name Phone Date

**Approval Levels:**

\$150,000 - \$650,000:	Contracting Officer
Over \$650,000 - \$12,500,000:	Competition Advocate
Over \$12,500,000 - \$85,500,000:	HCA
Over \$85,500,000:	DLA SPE

