



DEPARTMENT OF THE NAVY

NAVSUP Weapon Systems Support (NAVSUP WSS)
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DSN & EXT
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N REPLY REFER TO:

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N5006314NA023/N001 0415NB001 FOLDER NUMBER:

The format of this Justification and Approval (J&A) was reviewed and approved 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.

(Item Manager's Name) Please Print (Extension) (Code)

(Technician's Name) Please Print (Extension) (Code)

(Buyer's Name) Please Print (Extension) (Code)

1. IDENTIFICATION OF AGENCY AND/OR CONTRACTING ACTIVITY: NAVSUP WSS Mechanicsburg.

2. NATURE/DESCRIPTION OF ACTION: This J&A is for the negotiation and award of a contract through other than full and open competition.

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

Flare, Infrared, Countermeasure,
Nomem MJU-68/B Quant
NSN 1370-01-592-9246 Cage Code 94117
P/N
Estimated Value (include option)
Appropriation, Subhead and Cost Code

Option: Yes X 200 % Days 365 No Option

Flare, Infrared, Countermeasure,
Nomem MJU-69/B Qua
NSN 1370-01-592-9252 Code 94117
P/N
Estimated Value (include option)
Appropriation, Subhead and Cost Code

REQUISITION NUMBER/PD: 15NB001

FOLDER NUMBER: _____

Option: Yes 200 % _____ Days 365 No Option _____

Nomem	CCU-168/B Impulse Cartridge, JN31	Quantity	_____
NSN	1377-01-619-0801	Cage Code	94117
P/N	8385852-2	Unit	_____

Appropriation, Subhead and Cost Code _____

 _____Option: Yes 200 % _____ Days 365 No Option _____

4. **IDENTIFICATION OF STATUTORY AUTHORITY:** This J&A is based upon the authority of 10 USC 2304(c)(1), as implemented by Federal Acquisition Regulation 6.302-1.

5. **DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICATIONS:** The current Acquisition Method Code (AMC/AMCS) is 3R. This acquisition will be negotiated with: (97117) BAE Systems-E&IS Nashua, NH.

The Government does not own the data or rights to the data needed to purchase these parts from additional sources. It has been determined to be uneconomical to buy the data or rights to the data. It is uneconomical to reverse engineer the par.

6. **GOVERNMENTWIDE POINT OF ENTRY NOTICE/POTENTIAL SOURCES:**

The proposed contract was/will be posted at the Governmentwide Point of Entry.

7. **DETERMINATION OF FAIR AND REASONABLE COST:** The contracting officer determines that the anticipated cost to the Government will be fair and reasonable. In instances when certified cost and pricing data are required, an analysis of cost information will be performed which will consider field pricing reports, commerciality, procurement history and other available cost and pricing information in determining price reasonableness. Certified cost and pricing data will be obtained and used to ensure reasonableness, completeness and realism of proposed costs as required.

8. **DESCRIPTION OF MARKET SURVEY:** (MJU 68/B and MJU-69/B) A technical review has been made to determine and identify all known sources. A Market Questionnaire was issued to identify all known sources. The results of this review, completed on 7 Feb 2014, have determined that Esterline Defense Technologies and Kilgore Flares Company have expressed an interest in producing this item. Although Esterline Defense Technologies and Kilgore Flares Company had expressed an interest in producing this item, BAE Systems won the data rights. Kilgore Flares is a subcontractor on this item for BAE Systems; however Kilgore Flares does not have adequate data to provide the end item.

(CCU-168/B) A technical review was completed to determine and identify all known sources. The results of this review, completed on 01 July 2014, have determined that now new sources have expressed an interest in manufacturing this item.

9. **ANY OTHER SUPPORTING FACTS:** The articles to be procured are complex and must meet operational and reliability requirements, the achievement of which requires unique production techniques and extensive and/or sophisticated testing, and the Government has not yet acquired or developed the technical data. The Government does not own the data or the rights to the data needed to purchase this item from additional sources. It is uneconomical to reverse engineer this item therefore the procurement is sole source to BAE Systems-E&IS Nashua, NH (94117).

REQUISITION NUMBER/PD: 15NB001

FOLDER NUMBER: _____

10. LISTING OF INTERESTED SOURCES: The following sources have expressed, in writing, an interest in this (MJU-68/B and MJU-69/B) acquisition:

[REDACTED]

11. ACTIONS TO REMOVE BARRIERS TO COMPETITION: (MJU-68/B and MJU-69/B) Future requirements for this material will be evaluated to see if material can be procured on a competitive basis. (CCU-168/B) For reasons set forth in paragraph (5) and (9), NSWC IHEODTD has no plans at this time to compete future contracts for the types of supplies covered by this document. If another potential source emerges, NSWC IHEODTD will assess whether competition for future requirements is feasible.

12. STATEMENT OF DELIVERY REQUIREMENTS:

[REDACTED]

13. REFERENCE TO THE APPROVED ACQUISITION PLAN: An Acquisition Plan is not required for this acquisition.

14. DOCUMENTATION FOR SPARE/REPAIR PARTS ACQUISITIONS: The specifications for the above articles have been reviewed and reflect the minimum needs of the Government.

REQUIRED BY FAR 6.303-2(b)

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.

William J. McLaughlin / Mech Eng
(Name & Title) (Code)

JAMES KOPPENBERGER
Asst Dir Comm & ASFLA
(Name & Title) (Code)

COMPETITION ADVOCATE REVIEW AND COMMENT
L. Johnson MS
(Name & Title) (Code)

CERTIFICATION REQUIRED BY FAR 6.303-2(a)

Justification is accurate and complete to the best of my knowledge and represents approval from \$150K up to \$650K.

Jodene R. Watkins
(Name & Title) (Code)

SUFFICIENCY BY COUNSEL:

Norm Bennett NOGC
(Name & Title) (Code)

REQUIRED BY FAR 6.304 (a)

Karen Wally 09
(Name & Title) (Code)

Competition Advocate: \$150,000 up to \$650,000
HCA: >\$650,000 up to \$12,500,000
ASN (RD&A): >\$12,500,000 up to \$85,500,000
>\$85,500,000