DEFENSE LOGISTICS AGENCY

DLA Philadelphia
DLR Procurement Operations, DSCR-ZC
700 Robbins Avenue, Building 1
Philadelphia, PA 19111-5098

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0038310RCPZ014 FOLDER NUMBER: 09288-0007

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

DANIEL HECKLER	[redacted]	5895
(Item Manager's Name) *Please Print*	(Extension)	(Code)
BENTON VELTRI	[redacted]	0320.T5
(Technician's Name) *Please Print*	(Extension)	(Code)
KENT HALL	[redacted]	ZCB.02
(Buyer's Name) *Please Print*	(Extension)	(Code)

1. **IDENTIFICATION OF AGENCY AND/OR CONTRACTING ACTIVITY:** DLA Philadelphia DLR Procurement Operations.

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 covers the acquisition of the following article(s):

Nomen	VARIOUS	Quantity	MULTI
NSN	5985VARIOUSCB	Cage Code	94987
P/N	MULTI	[redacted]ce	MULTI

Estimated Value (include option) [redacted]

Appropriation, Subhead and Cost Code: GFE GFE

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 CONTRACTORS UNIQUE QUALIFICATIONS:** The current Acquisition Method Code (AMC/AMSC) is 3C. This acquisition will be negotiated with [illegible]

CUBIC DEFENSE APPLICATIONS INC (94987) [illegible]

Only the above will be solicited because the articles to be acquired are highly specialized parts, designed and manufactured by a non-Government activity and the technical data required for acquisition by other than the above is not available.

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6. **FEDERAL BUSINESS OPPORTUNITIES/POTENTIAL SOURCES:** The proposed contract was/will be synopsized in the FedBizOpps website for government wide 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 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 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:** A technical review has been made to determine and identify all known sources.

9. **ANY OTHER SUPPORTING FACTS:** The articles to be procured are complex and must meet critical 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.

10. **LISTING OF INTERESTED SOURCES:** The following sources have expressed, in writing, an interest in this acquisition.

None

11. **ACTIONS TO REMOVE BARRIERS TO COMPETITION:** The Naval Inventory Control Point Source Development Department has completed a full screen review on the subject item. The AMC/AMSC is (3C) with Cubic Defense Applications Inc(94987) as the only approved source of supply. No other sources have expressed an interest in manufacturing the subject items to the Source Development Department. Available data has not been found adequate to support competitive acquisition. Additional sources must obtain engineering source approval prior to contract award. NAVICP will continue to encourage manufacturers with the expertise to manufacture the subject items to submit a complete technical data package for review and source approval by the appropriate engineering source approval authority. Future requirements will continue to be advertised in the FedBizOpps website (www.fedbizopps.gov) and in the NAVICP Buy Requirements Listings. JPB

12. **STATEMENT OF DELIVERY REQUIREMENTS:**

(a) The required delivery date (month/year) is: 5/2010

(b) Ship To:

UY0419 QTY 20 (EA)

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.

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TECHNICAL AND REQUIREMENTS CERTIFICATION 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.

Technical Cognizance:

[redacted]	John P. Goss	0320.TG	[redacted]	29 Oct 09
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

Requirements Cognizance:

[redacted]	for Carol Kotanski 0320.TG		[redacted]	3 NOV 09
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[redacted]	A. Solomon: Procurement Analyst Code: 071.20 Phone: 215-[redacted]			NOV 2 3 2009
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

CONTRACTING OFFICER'S CERTIFICATION REQUIRED BY FAR 6.303-2(a)(12)

I certify that this justification is accurate and complete to the best of my knowledge and belief. (Represents approval if less than $550K).

[redacted]	Joyce L. Curry, Contracting Officer	ZCB	[redacted]	12/29/09
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

REVIEWED FOR LEGAL SUFFICIENCY BY COUNSEL: (Over $550K)

[redacted]	Sharif Davis Assoc. Counsel	DSLR-G	[redacted]	1/4/10
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

APPROVAL REQUIRED BY FAR 6.304

[redacted]	**B. Keane**: Competition Advocate **Code: ZCSB** Phone: (215) [redacted]			1/4/10
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

Approval Levels:

Contracting Officer: Up to $550,000
Competition Advocate: $550,000 to $11,500,000
HCA: $11,500,000 to $78,500,000
DLA SPE: over $78,500,000

STANDARD FORM 36, JULY 1966 GENERAL SERVICES ADMINISTRATION FED. PROC. REG (4)1 CFR) 1-16.101)	CONTINUATION SHEET	REF. NO. DOC. BEING CONT'D N00383-10-RCP-Z014	PAGE	OF

NAME OF OFFEROR OR CONTRACTOR

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	DF ANTENNA P/N - (94987) 282620-1 NSN - 0RH 5985-01-529-6488	[redacted]			
0002	RECEIVER TRANSMITTER, RT-1532F P/N - (94987) 282550-1 NSN - 0RH 5821-01-531-1510	[redacted]			
0003	UHF ANTENNA P/N - (94987) 282622-1 NSN - 7RH 5985-01-544-0129	[redacted]			
0004	MOUNT P/N - (94987) 282610-1 NSN - 7RH 5975-01-544-0404	[redacted]			

10/29/2009
MEMORANDUM

From: 073
To: 074

Subj: **STATEMENTS OF PREVIOUS ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION**

Ref: (a) OOB Memo of 17th December 1991

J&A REQUISITION NUMBER: **N0038310RCPZ014**
NSN: **5985 VARIOUS CB**
NOMENCLATURE: **VARIOUS**

( ) 073 Previously reviewed the subject item and established a plan to remove barriers to competition.

(**X**) No previous plan was developed by 073 for this item as prior procurements did not meet the criteria set forth in reference(a).

[redacted]
(SIGNATURE)

Dawn J Baker 0732.09 x2187
(NAME, CODE, PHONE)