



DEPARTMENT OF THE NAVY
NAVSUP WEAPON SYSTEMS SUPPORT

700 ROBBINS AVENUE
PHILADELPHIA PA 19111-5098

5450 CARLISLE PIKE - PO BOX 2020
MECHANICSBURG PA 17055-0788

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

CJ&A#: N00383-14-G-002N 14246

Requisition/PD# 1101166936

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

Form with three rows: Margaret Fink (Item Manager's Name), Joe Angles (Technician's Name), Kathryn Hull (Buyer's Name). Each row includes Extension and Code fields.

1. CONTRACTING ACTIVITY: [X] NAVSUP WSS Philadelphia [ ] NAVSUP WSS Mechanicsburg

2. DESCRIPTION OF THE ACTION BEING APPROVED: Negotiation and award of a contract through other than full and open competition. The class of contracts to which this Justification and Approval will be applied are orders against Basic Ordering Agreement

Number N00383-14-G-002N for the period through 4 years

3. DESCRIPTION OF SUPPLIES/SERVICES: This J&A covers the acquisition of the following repair/overhaul/modification in support of the [ ] system(s). [X] Repair/Overhaul [ ] Modification [ ] Management [ ] Piece Parts [ ] Data Reporting

Nomen: See Attached Quantity: See Attached

NSN: See Attached CAGE Code: 19397

P/N: See Attached Unit Price: \$ See Attached

Estimated Value: \$ [ ]

Ship To: AN5 (W25G1U) DD Susquehanna

Line of Accounting

7PRS00004P04 97XBP85 82CC000000 1521.2000 7RPN0-00-0000000

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 Repair Code/Repair Method Suffix Code (RMC/RMSC) is 3H.

CJ&A#:

~~N00383-14-G-002N~~ 14266

Requisition/PD# 1101166936

RMC 3. Repair, for the second or subsequent time, directly from the actual manufacturer.

RMSC H. The Government physically does not have in its possession sufficient, accurate, or legible data to contract repair with other than the current source(s). The deficiency is under review for resolution. Suitable technical data, Government data rights, or manufacturing knowledge are not available to permit acquisition from other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Data review discloses the required data or data rights are not in the Government possession and cannot be economically obtained.

This acquisition will be negotiated with: BAE Austin Texas-19397

This is the OEM in which they hold the technical data rights to these drawings. The ALE-47 is integrated with the aircraft's radar warning receivers, missile warning receivers and other electronic warfare sensors. When the aircraft's sensors detect a threat, the countermeasure dispenser system automatically launches radio frequency and infrared countermeasures at the optimum time to defeat incoming missiles. The ALE is compatible with a wide variety of countermeasures such as different types of flares and chaff. It is also designed to work with advanced future countermeasures. This is a complex and unique system requiring unique technical expertise and currently only resides with the OEM. The approved source retains data rights, manufacturing knowledge is essential to maintaining the quality of the part. An alternate source must qualify in accordance with design control activity's procedures, as approved by NAVAIR as the Cognizant Government Engineering Activity. Due to the complexity of the required test equipment and the high cost to develop electrical and mechanical requirements, achieving competition is not possible at this time.

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

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

10/17/2014

The following sources have expressed an interest in this acquisition: [REDACTED]

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 repair of the two items identified on attachment(a), by sources other than BAE (19397), is not currently available. The Source Development Department will send a letter to BAE (19397) requesting a budgetary cost estimate and lead time for providing a complete Technical Data Package with U. S. Government rights for use of data for competitive repair purposes. A criticality determination for these items has not yet been entered into JDRS. A request for determination and entry into JDRS has been submitted. Source Development Department files indicate no SAR has been received from any company interested in becoming a source of repair for these items. Source Development Department files indicate BAE (19397) is the only approved source at this time [REDACTED]

**7. DETERMINATION OF FAIR AND REASONABLE COST:** The contracting officer determines that the anticipated cost to the Government of the supplies covered by this Class J&A will be fair and reasonable.

**8. ACTIONS TO REMOVE BARRIERS TO FUTURE COMPETITION:**

For reasons set forth in Paragraphs (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 source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible. [REDACTED]

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

An informal / formal acquisition plan is / is not required for this acquisition.

CJ&A#:

~~N00383-14-G-002N~~

14266

Requisition/PD#

1101166936

**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

		X	8 OCT 2014
Signature	Joaquin. Angles Name	X	Sep 22, 2014 Date

**Requirements Cognizance:**

	Tony Gentner Name	X	Oct 8, 2014 Date
--	----------------------	---	---------------------

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

	Solomon: Procurement Analyst Name Code: 071.20 Phone:		OCT 14 2014 Date
--	---	--	---------------------

**CONTRACTING OFFICER CERTIFICATION**

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

	Nicole T. Rounney, Contracting Officer Name	X1018 Phone	24 Nov 2014 Date
--	--	----------------	---------------------

**LEGAL SUFFICIENCY REVIEW**

I certify that this Justification is legally sufficient

	Robert Goldberg, Assistant Name NOGC		24 Nov 2014 Date
--	--	--	---------------------

**APPROVAL REQUIRED BY FAR 6.304**

	M. SHORTALL, Competition Advocate Name Code: 071.20 Phone:		11/25/14 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 (delegated to NAVSUP WSS 00 and 09)
Over \$85,500,000:	ASN (RD&A)