



5. **RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:**

The current Acquisition Method Code/Acquisition Method Suffix Code (AMC/AMSC) is: **3C**

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

C) This part requires engineering source approval by the design control activity in order to maintain the quality of the part. Existing unique design capability, engineering skills, and manufacturing knowledge by the qualified source(s) require acquisition of the part from the approved source(s). The approved source(s) retain data rights, manufacturing knowledge, or technical data that are not economically available to the Government, and the data or knowledge is essential to maintaining the quality of the part. An alternate source must qualify in accordance with the design control activity's procedures, as approved by the cognizant Government engineering activity. The qualification procedures must be approved by the Government engineering activity having jurisdiction over the part in the intended application.

This acquisition will be negotiated with:

This item is a Critical Application Item (CAI) and requires engineering source approval by the design control activity (DCA) in order to maintain the quality of the part. The approval process involves inspection and review of manufacturing techniques, special skills, qualifications, and knowledge required to complete the complex procedures. Hamilton Sundstrand (55280) as the DCA, and NAVAIR, the cognizant Government engineering activity, are responsible for this process.

In this case, the DCA Hamilton Sundstrand (55280) has approved no other sources. The acquisition will be negotiated with AAR because Hamilton Sundstrand will not contract with the government directly. It requires the government to contract with AAR, its only authorized distributor.

Full and open competition is not possible for this procurement because the Government has only "limited rights" in the technical data. The government has the right to use and disseminate the data internally, but lacks the right to distribute that data outside the government to conduct full and open competition among other potential offerors. "

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

**OFFERERS AS PRACTICABLE:** The proposed contract was synopsised in the FedBizOpps website for government wide point of entry on 10/10/2013. The following sources have expressed an interest in the acquisition:

Market research ~~was~~ was not 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:

**Sundstrand (55820) authorized AAR (1Y249) as their distributor** and is the only authorized source of supply for this item due to being a Critical Application Item (CAI) and "Limited Data Rights to the government".

REQUISITION NUMBER/PD: N0038313X5397 FOLDER NUMBER: 13210-0030

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**:

Available data has not been found adequate to support competitive acquisition. The subject item is considered Critical Application Item (CAI) therefore, additional sources must obtain engineering source approval prior to contract award. 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 approval authority, namely, NAVSUP WSS, NADEP or NAVAIR. Future requirements will be advertised in the Fed Biz Opps website ([www.fedbizopps.gov](http://www.fedbizopps.gov)) in order to encourage potential suppliers to submit Source Approval Requests.

9. **REFERENCE TO THE APPROVED ACQUISITION PLAN**: An Informal/Formal acquisition plan is/is not required for this acquisition.

REQUISITION NUMBER/PD: N0038313X5397 FOLDER NUMBER: 13210-0030

**CERTIFICATIONS AND APPROVAL**  
**TECHNICAL/REQUIREMENTS CERTIFICATION**

I certify that the facts and representations under my cognizance which are included in this Justification which in this justification and which form a basis for this justification are complete and accurate to the best of my knowledge and belief.

**Technical Cognizance:**

Signature \_\_\_\_\_ Name (Printed) Mike Babenko, V-22 E/S Phone No. \_\_\_\_\_ Date 3/18/14

**Requirements Cognizance:**

Signature \_\_\_\_\_ Name (Printed) Rita Ballinger, V-22 LMS Phone No. \_\_\_\_\_ Date 3/19/14

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

A. Solomon: Procurement Analyst  
Code: 071.20 Phone: \_\_\_\_\_

Signature \_\_\_\_\_ Name (Printed) \_\_\_\_\_ Phone No. \_\_\_\_\_ Date MAR 21 2014

**CONTRACTING OFFICER CERTIFICATION**

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

Signature \_\_\_\_\_ Name (Printed) James W. Maxwell Phone No. \_\_\_\_\_ Date 4/2/14

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient.

Signature \_\_\_\_\_ Name (Printed) MICHAEL BOLAND ASSISTANT COUNSEL Phone No. \_\_\_\_\_ Date 3/26/14

**APPROVAL REQUIRED BY FAR 6.304**

Signature \_\_\_\_\_ Name (Printed) \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

**Approval Levels:**

Contracting Officer:	\$150,000 up to \$650,000
Competition Advocate:	Over \$650,000 up to \$12,500,000
HCA(delegated to NAVSUP WSS 00 and 09):	Over \$12,500,000 up to \$85,500,000
ASN (RD&A):	Over \$85,500,000