

J&A Number: YOK 16.0031

**JUSTIFICATION AND APPROVAL  
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION**

**1. Name of Requiring and Contracting Activity**

Requiring Activity: Defense POW/MIA Accounting Agency (DPAA)  
Contracting Activity: NAVSUP Fleet Logistics Center Yokosuka (FLCY), Site Singapore

**2. Nature and/or Description of the Action Being Approved:**

Modification to Contract N40345-11-D-0010 is required to increase the Estimated Quantities of SUB CLINS AB, AC and AD under CLIN 4003 during option year four for the purpose of satisfying a higher capacity mission. [REDACTED]

**3. Description of the Supplies and Services Being Procured:**

The Contract provides AS350 and Bell 212 helicopter support for operations in Papua New Guinea to include utilization to satisfy investigative, logistics and administrative requirements. Historically DPAA has executed two investigative missions per year in the Papua New Guinea over the last couple of years. The upcoming mission will be the first recovery mission to occur in Papua New Guinea in over two years. The contract was written to support smaller investigative teams, usually consisting of 5-6 individuals. At the time the contract requirements were written when operations in Papua New Guinea were to be focused around the smaller investigative teams and did not reflect the robust support required for recovery missions. DPAA has had limited access to Papua New Guinea in past years, but has now been granted greater access to investigate and recover in Papua New Guinea. This shift in access has allowed DPAA to conduct more missions with larger teams in Papua New Guinea this year resulting in DPAA needing to exceed the estimated cost of the current Bell 212 helicopter support on the contract. DPAA is also transitioning to recovery missions which require larger teams and it is therefore more cost effective and more efficient to use the Bell 212 to reduce the number of sorties and time required to transport the team to the site.

The sites DPAA has investigated and the sites on the schedule for recovery are located in dense jungle areas that are not accessible by road. Helicopter support is vital to the execution of these missions as well as to the safety of the team. As such, the team will be based in Moem Barracks and helicopter services are required for daily lift to and from the site.

The current Contract is in option year four (4), due to expire 31 May 2016. DPAA intends to renew the requirement while re-assessing and likely increasing the helicopter support requirement needed for future missions.

**4. Statutory Authority to Procure Requirement under Sole Source Procedures:**

10 U.S.C. 2304(c)(1), One source or limited sources , implemented at FAR 6.302-1(a)(2)(i).

**5. Description of the Unique Capabilities or Qualifications, which Requires Acquisition under Sole Source Procedures:**

Pursuant to FAR 6.302-1(a)(2)(i), Pacific Helicopters is the only source that currently meets the Government's requirements with a Commercial Airlift Review Board (CARB) certification to operate in Papua New Guinea. The Contract requires the incumbent contractor to be CARB certified from the Department of Defense Commercial Air Transportation Quality and Safety Review Program per Department of Defense Directive 4500.53 which takes approximately 3 to 4 months. Re-competing the requirement for the purpose of satisfying one additional mission in the current year of the contract and certifying an alternate contractor would result in substantial duplication of cost and time to the Government that is not expected to be recovered through competition and will unduly harm the schedule hence, mission execution. Such costs include the time of technical and contracting personnel to review and evaluate the requirement, proposal and task order; as well as the time and costs associated with CARB application and certification if a new contractor is chosen.

**6. Description of Efforts Made to Ensure that Offers Are Solicited from as Many Potential Sources as Is Practicable (i.e., FACNET, CBD Synopsis or Documentation Explaining Exception to Synopsis Requirement):**

Pursuant to FAR 5.202 (a) (6), synopsis is not required for this requirement is strictly performed outside of the U.S. by a local contractor; however, this J&A will be published on AsiaNECO within 14 days of modification execution.

**7. Determination that the Anticipated Cost to the Government Will Be "Fair and Reasonable":**

The contracting officer has determined the anticipated cost to the Government of the services covered by this J&A will be fair and reasonable. The costs to the Government have been determined to be fair and reasonable as all CLINs are pre-priced except price for fuel – which is paid on actual cost. The unit prices are set in the contract. Actual expenditures are verified by DPAA member being on each flight to verify times and routing and non-use by others. These are also verified in the daily operating reports. The contemplated modification seeks only to increase the ordering limitation, all prices previously determined to be fair and reasonable will be those applied to additional quantities ordered.

**8. Description of the "Market Research" Conducted and the Results or a Statement Explaining the Reason Market Research Was Not Conducted:**

Market research was conducted only on the price of fuel as this is the only variable item. The price of fuel per liter is expressed in U.S. Dollars and shall be adjusted to the posted price for fuel at the nearest commercial refueling facility at the time the task order is issued and will be applied for the ordered period.

**9. Any Other Documentation that Would Lend Support to the Sole Source Justification:**

Not Applicable.

**10. Listing of Interested Source:**

The only source capable of satisfying the current requirement within the schedule parameters is the incumbent contractor:

Pacific Helicopters  
PO Box 342 Goroka,  
EHP Papua New Guinea

**11. Statement of Actions, if any, to Remove Barriers to Competition:**

FLCY Site Singapore will compete the follow-on contract that will begin on or about 01 June 2016 on a full and open basis, so that all interested parties can participate.

**12. Contracting Officer Certification that the Justification Is Accurate and Complete to the Best of the Contracting Officer's Knowledge and Belief with Supporting Data:**

The point of contact at NAVSUP Fleet Logistics Center, Site Singapore office is: Marie Tarnowski, Code 250, DSN 421-2550, commercial (65) 6750-2550, email marie.tarnowski@fe.navy.mil.

**13. Total Estimated Dollar Value of the Acquisition Covered by this J&A:**

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**14. Contracting Activity Point of Contact:**

Leila Hemenway, Contract Specialist, Code 254 at DSN 421-2648, commercial (65) 6750-2648, email Leila.hemenway@fe.navy.mil