WDC
7/2/16

DEFENSE LOGISTICS AGENCY
AVIATION
700 ROBBINS AVENUE, BUILDING 1, ROOM 2211
PHILADELPHIA, PENNSYLVANIA 19111-5098

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Folder Number: 16027-0002

Requisition/PD# N0038316X1476

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

Maureen DeLorenzo	[redacted]	N98152.16
Item Manager's Name	Extension	Code
Tom Nolan	[redacted]	N98152.55
Technician's Name	Extension	Code
Keli Barish	[redacted]	APAP.17
Buyer's Name	Extension	Code

1. CONTRACTING ACTIVITY: DLA Aviation Strategic Acquisition at Philadelphia, PA

2. DESCRIPTION OF THE ACTION BEING APPROVED: 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: WHEEL AND TIRE ASSEMBLY

Quantity: [redacted]

NSN: 7RH 1680 016199169 P8

CAGE Code: (81205)

P/N: 277A6000-556

Unit Price: $30,442.50

Estimated Value (include option): $[redacted]

The required delivery date is: Aug. 2016

Ship To: SW3122

Line of Accounting

97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPE00000000

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 Acquisition Method Code/Acquisition Method Suffix Code (AMC/AMSC) is: 3 H ☐ multiple codes see pg 2 for definitions

Source Selection Information - See FAR 2.101 & 3.104

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

AMSC H. The Government physically does not have in its possession sufficient, accurate, or legible data to purchase this part from other than the current source(s). This code is applicable only to parts under immediate buy requirements and only for as long thereafter as the deficiency is under review for resolution and appropriate recoding. This code is only assigned at the conclusion of limited screening, and it remains assigned until the full screening process resolves physical data questions and results in assignment of a different AMSC. If one source is available, AMCs 3, 4, or 5 are valid. If at least two sources exist, AMCs 1 or 2 are valid.

This acquisition will be negotiated with: (81205) Boeing Co.

This aircraft has no base line and as such it is imperative that the government deal with the prime contractor, Boeing. The government physically does not have in its possession sufficient engineering and technical data to contract spares with other than the prime. As the P-8 aircraft has not been base lined by NAVAIR and is currently pre-physical configuration audit (PCA), the aircraft mission systems are experiencing constant anomalies and variance within the configuration. The government does not have empirical engineering data available that would allow for realistic competitive sustainment efforts at this time. These items are continually being altered and evaluated. The logistical and technical requirements are varying in such a way that it is essential and in the Navy's best interest to deal only with the prime at this time.

One of the critical functions during provisioning is the determination of the baseline configuration which impacts maintenance requirements and logistical support. The Navy's test and evaluation squadron has been evaluating these items with field service representatives and Navy engineering technical support gathering data required for maintenance and logistical planning. The Navy's fleet replacement and training squadron is performing organic squadron level maintenance under the cognizance of field service representatives and Navy engineering technical support, training naval maintenance.
Further, NAVSUP WSS is obliged to follow the supply support strategy as outlined in the 2 NAVAIR program office, PMA- 290 letters, 500 Ser PMA-290/096 dated Aug 31 2015 and 500 Ser PMA-290/003 dated Jan 06 2015.

6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE: The proposed contract action was synopsized and included a Sources Sought Notice on the FedBizOpps website for government-wide point of entry on

Jan 28, 2016

and as a result:

[redacted] expressed interest in this item but since the base line configuration for the P-8 aircraft has not been established, the Navy does not possess the data to allow for full market research at this time.

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:

Limited market research was conducted in accordance with FAR Part 10. These items were synopsized and a Sources Sought Notice was issued. Since the base line configuration for the P-8 aircraft has not been established, the Navy does not possess the data to allow for full market research at this time.

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:

As stated in paragraph 5, the P-8 aircraft has not gone through PCA and has not been base lined. Once the baseline configuration has been approved and established by NAVAIR, NAVSUP WSS will determine if the data is available and if so will aggressively pursue a commercially competitive posture for future procurements of this item. NAVAIR has not yet established weather the data rights required to allow for commercial competition will be procured. Therefore we cannot commit, at this time, to a post MSD commercial competitive posture under this agreement.

9. REFERENCE TO THE APPROVED ACQUISITION PLAN:

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

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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

Technical Cognizance:

Signature	Name	Phone	Date
[redacted]	Tom Nolan	[redacted]	Apr 21, 2016

Requirements Cognizance:

Signature	Name	Phone	Date
[redacted]	Kevin Lengyel	[redacted]	Apr 21, 2016

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature	Name	Phone	Date
[redacted]	John Sweeney	[redacted]	Apr 25, 2016

CONTRACTING OFFICER CERTIFICATION

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

Signature	Name	Phone	Date
[redacted]	Keli Barish	[redacted]	July 7, 2016

LEGAL SUFFICIENCY REVIEW

I ha[redacted] sufficient

Signature	Name	Phone	Date
[redacted]	Sharif T. Dawson, Esq. Associate Counsel DLA [redacted] Phon[redacted]		7/11/16

APPROVAL REQUIRED BY FAR 6.304

Signature	Name	Phone	Date
[signature]	William Cosenza Comp Ad	[redacted]	7/12/16

Approval Levels:

$150,000 - $700,000:	Contracting Officer
Over $700,000 - $13,500,000:	Competition Advocate
Over $13,500,000 - $93,000,000:	HCA
Over $93,000,000:	DLA SPE