



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

In/Out
7/22
Beating

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0038313X1453 FOLDER NUMBER: 12334-0024

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

 (Item Manager's Name) *Please Print*

 (Extension)

 (Code)

 (Technician's Name) *Please Print*

 (Extension)

 (Code)

 (Buyer's Name) *Please Print*

 (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	<u>Support, Structural</u>	Quantity	<u>35</u>
NSN	<u>1560-01-592-3433 QE</u>	CAGE Code	<u>76301</u>
P/N	<u>74A172351-1012</u>	Unit Price	_____

Estimated Value (include option) _____

Appropriation, Subhead and Cost Code: 97 00 XX XX 4930 NC1A 000 85004 0 050120
7R 000000 7PPB00000000

The required delivery date is: 12/2014

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 a limited number of 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: 3C AMC 3. Acquire, for the second or subsequent time, directly from the actual manufacturer.

AMSC 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.

This acquisition will be negotiated with: (76301) The Boeing Company. No other commercial facility has the expertise, facilities or the test equipment necessary to manufacture part number 74A172351-1012. Furthermore the items is considered critical to safety of flight thus, additional sources must obtain engineering source approval prior to contract award. 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. No other commercial facilities at this time other than The Boeing Company (76301) have the expertise, facilities or the test equipment necessary to manufacture P/N 74A172351-1012. No other sources have currently expressed an interest in becoming an approved source for Part Number 74A172351-1012 For these reasons NAVSUP WSS is presently unable to fully compete the subject item.

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 20 Feb 2013. The following sources have expressed an interest in the acquisition:

Market research was conducted in accordance with FAR Part 10. The results of the market research conducted are as follows: The NAVSUP Weapon Systems Support (WSS) Source Development Department (SDD) has conducted a market research per the market research document. The subject Structural Support is a Critical Application Item (CAI) and all alternate sources must qualify IAW the design control activity's procedures, as approved by NAVAIR prior to contract award. Available data including all publications, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item are not available to purchase from other than the current approved source of supply the Boeing Company (76301). Available data including all publications, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item has not been found adequate to support full and open competition. No other sources have currently expressed an interest in becoming an approved manufacturing source for the subject item to the Source Development Department. To promote competition the 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 per the (WSS) guidelines. Also future requirements will

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be advertised in the FedBizOps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval Requests.

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:**

For reasons set forth in Paragraph (5 & 6), NAVSUP WSS has no plans at this time to compete future contracts for the subject item covered by this document. If another potential manufacturing source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible.

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 (Printed) Phone No. Date *02/25/14*

Requirements Cognizance:

Signature Name (Printed) Phone No. Date *2/26/14*

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature Name (Printed) Phone No. Date *MAR 04 2014*
A. Solomon: Procurement Analyst
Code: 071.20 Phone: _____

CONTRACTING OFFICER CERTIFICATION

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

Brian Farrington
Contracting Officer APBA

Signature Name (Printed) Phone No. Date *4/10/2014*

REVIEWED BY COUNSEL FOR LEGAL SUFFICIENCY: (Over \$650k)

I have determined this Justification is legally sufficient.

Signature Name (Printed) Phone No. Date *4/10/14*
Sharif T. Dawson, Esq.
Associate Counsel
DLA Contract Division
Phone: _____

APPROVAL REQUIRED BY FAR 6.304

[Signature]
Signature Name (Printed) Phone No. Date *7/22/14*
Michael Massello
Competition Advocate
1160

Approval Levels:

Contracting Officer:	\$150,000 up to \$650,000
Competition Advocate:	Over \$650,000 up to \$12,500,000
HCA:	Over \$12,500,000 up to \$85,500,000
DLA SPE:	Over \$85,500,000