

**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: 14344-0633

Requisition/PD# N0038315X1273/ N0038315X1298

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

Terri Bell Item Manager's Name	[REDACTED] Extension	N98152.77 Code
Ronald Kiesling Technician's Name	[REDACTED] Extension	N98152.51 Code
Keli Barish Buyer's Name	[REDACTED] Extension	APAP.17 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: See Attach"A"	Quantity: See Attach"A"
NSN: See Attach"A"	CAGE Code: 81205
P/N: See Attach"A"	Unit Price: \$ See Attach"A"
Estimated Value (include option): \$ [REDACTED]	The required delivery date is: 6mo ARO

Ship To: N4014D

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: multiple codes see pg 2 for definitions

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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: The Boeing Company CAGE 81205
P.O. Box 3707
Seattle, WA 98124-2207

This Acquisition will be negotiated with the OEM, Boeing CAGE 81205. This item has not received a criticality determination yet and Boeing is the sole proprietor of the technical data required to manufacture, test and certify this item. As the P-8A aircraft is currently in the pre-physical configuration audit (PCA) phase of the life cycle process, the aircraft and mission systems are experiencing constant anomalies and variations within the configuration. Additionally, in the absence of criticality determinations, it is imperative that the Government deal strictly with the OEM/ Prime Vendor for procurement of this item. The Government does not physically have in its possession any engineering or technical data to contract for spares with other than the OEM/ Prime at this time. The Government does not have the empirical engineering data available that would allow for realistic competitive sustainment efforts at this time. Furthermore, NAVSUP WSS is obligated to follow the supply support strategy as outlined in the NAVAIR program office, PMA- 290 letter, 5000 Ser PMA-290/128 dated Aug 23 2016.

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

Jul 14, 2016

and as a result:

EQUUS Logistics CAGE 5URY2 submitted a proposal but they are not the OEM or an Authorized Distributor designated in writing by the OEM.

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:

A limited Screen Market Research was conducted in accordance with FAR part 10. No other sources could be identified/certified for this procurement.

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 Paragraphs 5 & 6, NAVSUP WSS is unable to compete this contract 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.

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: [Redacted] Name: Ronald Kiesling Phone: 215-697-[Redacted] Date: Sep 23, 2016

Requirements Cognizance:

Signature: [Redacted] Name: Terri Q. Bell Phone: 215-697-[Redacted] Date: Sept 23, 2016

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature: [Redacted] Name: John Sweeney Phone: [Redacted] Date: 28 SEP 2016

CONTRACTING OFFICER CERTIFICATION

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

Signature: Keli Barish Name: Keli Barish Phone: 215-237-[Redacted] Date: 9/29/2016

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

Signature: [Redacted] Name: Sharif T. Dawson, Esq. Associate Counsel DLA Counsel Aviation Phone: (215) 697-[Redacted] Date: 10/14/16

APPROVAL REQUIRED BY FAR 6.304

Signature: [Redacted] Name: [Redacted] Phone: [Redacted] Date: [Redacted]

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

