

DEPARTMENT OF THE NAVY
NAVSUP WEAPON SYSTEMS SUPPORT

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JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Folder Number: 15225-0021

Requisition/PD# N0038315X4242

The format of this Justification and Approval (J&A) was reviewed by NAVSUP WSS Office of Counsel. No Change to the format or content of the preprinted portion of this document is allowed. Any revision to the preprinted portion of this document must be individually reviewed and approved in writing by NAVSUP WSS Office of Counsel.

Item Manager's Name	Extension	N98211.53 Code
Technician's Name	Extension	N98214.02 Code
Buyer's Name	Extension	N761.02 Code

1. **CONTRACTING ACTIVITY:** NAVSUP WSS Philadelphia NAVSUP WSS Mechanicsburg

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: Stator, Engine, Generator Quantity: [Redacted]

NSN: 1RM 2925 01-443-4216-SY CAGE Code: 83311

P/N: 5107T45P01 Unit Price: \$ [Redacted]

The required delivery date is: 4/2017 Estimated Value (include option): \$ [Redacted] Option: YES NO % [Redacted] Days [Redacted]

Ship To: [Redacted]

Line of Accounting
[Redacted]

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

Folder Number: 15225-0021

Requisition/PD# N0038315X4242

AMC 1. Suitable for competitive acquisition for the second or subsequent time.

AMSC B. This part must be acquired from a manufacturing source(s) specified on a source control or selected item drawing as defined by the current version of DoD-STD-100. Suitable technical data, Government data rights, or manufacturing knowledge are not available to permit acquisition from other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Data review discloses that required data or data rights are not in Government possession and cannot be economically obtained.

This acquisition will be negotiated with: [REDACTED]

Full and open competition is not possible for this procurement because the Government has only "limited rights" in the technical data. Material is GE Supplier Interface, Critical Application Item (CAI) and requires OEM Vendor Substantiation Engineering (VSE) approval. The only approved source other than GE is Unison Industries (83311). 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 offerers."

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

9/1/2015

and as a result:

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:

The NAVSUP(WSS) Engines IWST has conducted a market research per the market research document. The AMC/AMSC is "1B", the subject Stator, Engine, Generator must be acquired from a manufacturing source(s) specified on the Supplier Interface drawing as defined by the current version of DoD-STD-100. The only approved vendor other than GE is Unison Industries (83311). Suitable technical data, Government data rights, or manufacturing knowledge are not available to permit acquisition from other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Subject item is a Critical Application Item listed in the Joint Deficiency Reporting System database (JDRS). Data review discloses that required data or data rights are not in Government possession and cannot be economically obtained. At this time no other facilities have the expertise, facilities or the test equipment necessary to manufacture the subject item other than Unison Industries, (83311) and the OEM, GE. The government does not possess the manufacturing data necessary to support full and open competition. No other sources have expressed an interest in manufacturing the subject item to the NAVSUP WSS. Additional sources must obtain engineering source approval prior to contract award. To promote competition the NAVSUP WSS will continue to encourage manufactures 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 General Electric (99207). Also future requirements will be advertised in the FedBizOpps website (www.fedbizopps.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 types of supplies/ services covered by this document. The NAVSUP WSS will send a letter to GE in an attempt to procure the required manufacturing and qualifying data. When the contractor's response is received, an economical evaluation will be performed to determine if the Government will acquire the data. If the determination is made not to acquire the data, the reason(s) will be documented and the acquisition of data process terminated. If the Government determines to acquire the data, it is estimated that it will take a minimum of eighteen (18) months for the contractor to prepare and submit the data with an additional four (4) months for the NAVSUP WSS to review the data and develop a complete data package. Also 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 be advertised in the FedBizOpps website (www.fedbizopps.gov) in order to encourage potential suppliers to submit Source Approval Requests. If another potential manufacturing source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible.

9. REFERENCE TO THE APPROVED ACQUISITION PLAN:

A Formal Acquisition Plan / Pre-Solicitation Strategy Form is required for this acquisition.

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Revised OCT 2015

Folder Number: 15225-0021

Requisition/PD# N0038315X4242

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: [Redacted] Phone: [Redacted] Date: Nov 4, 2015

Requirements Cognizance:

Signature: [Redacted] Name: [Redacted] Phone: [Redacted] Date: Nov 4, 2015

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature: [Redacted] Name: [Redacted] Phone: [Redacted] Date: Nov 4, 2015

CONTRACTING OFFICER CERTIFICATION

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

Signature: [Redacted] Name: [Redacted] Phone: [Redacted] Date: 11/10/15

LEGAL SUFFICIENCY REVIEW

Signature: [Redacted] Name: [Redacted] Phone: [Redacted] Date: 11/9/15

APPROVAL REQUIRED BY FAR 6.304

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

FAR 6.304 Approval Levels:

\$150,000 - \$700,000:	Contracting Officer
Over \$700,000 - \$13,500,000:	Competition Advocate
Over \$13,500,000 - \$93,000,000:	HCA (delegated to NAVSUP WSS 00 and 09)
Over \$93,000,000:	ASN (RD&A)