



DEFENSE LOGISTICS AGENCY

DLA Maritime at Mechanicsburg
5450 CARLISLE PIKE
MECHANICSBURG, PA 17055-0788

AS

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: VARIOUS/SEE ATTACHED FOLDER NUMBER: 16235-0077

[Redacted]	[Redacted]	[Redacted]	[Redacted]
(Item Manager's Name) Please Print		(Extension)	(Code)
[Redacted]	[Redacted]	[Redacted]	[Redacted]
(Technician's Name) Please Print		(Extension)	(Code)
[Redacted]	[Redacted]	[Redacted]	[Redacted]
(Buyer's Name) Please Print		(Extension)	(Code)

1. IDENTIFICATION OF AGENCY AND/OR CONTRACTING ACTIVITY:

DLA Maritime at Mechanicsburg.

2. NATURE/DESCRIPTION OF ACTION: This J&A is for the negotiation and award of a contract through other than full and open competition.

3. DESCRIPTION OF SUPPLIES/SERVICES: This J&A cover the acquisition of the following article(s):

Nomen	ANALYZER,SPECTRUM	Quantity	109 EA.
NSN	7ZH 6625 015885515	Cage Code	82199
P/N	FSV40-N	Unit Price	[Redacted]

Estimated Value: \$ [Redacted]

Appropriation, Subhead and Cost Code:

97 00 XX XX 4930 NC1A 000 81004 0 050120 7R 000000 8PMC00000000

Option: YES 100% 180 Days

Item description required for all items: General Purpose Electronic Test Equipment (GPETE) Spectrum Analyzer measures the magnitude of an input signal versus frequency within the full frequency range of the instrument. The primary use is to measure the power of the spectrum of known and unknown signals.

Spares C1 J&A
Revised 11/13

4. IDENTIFICATION OF STATUTORY AUTHORITY: This J&A is based upon the authority of 10 USC 2304(c)(1), as implemented by Federal Acquisition Regulation 6.302-1. The supplies required by the agency are only available from one responsible source or a limited number of sources and no other type of supplies will satisfy agency requirements.

5. DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICATIONS:

The current Acquisition Method Code (AMC/AMCS) is **2G**. For the reasons explained below, these

Supplies are only available from the following source: **(CAGE) 82199 ROHDE & SCHWARZ USA INC.**

Only the above manufacturing source will be solicited because the article to be acquired is a highly specialized part. This spectrum analyzer is coded sole source to ROHDE & SCHWARZE USA INC. (CAGE) 82199, who owns the drawings and was identified as the approved source of supply by the ISEA during initial provisioning. During initial provisioning for this NSN, the part was solicited competitively and bought to government specifications. CAGE 82199 won the previous long-term contract, N0010410DD016, which was in place for 5 years. Competing this follow-on, 1-time buy is not in the best interest of the government due to costs involved with technical evaluation of offers and integration of a different part within the fleet. Competing this 1-time buy would also cause unacceptable delays in fulfilling current agency requirements.

6. GOVERNMENTWIDE POINT OF ENTRY NOTICE/POTENTIAL SOURCES: The government will synopsise this contract action by posting a synopsis on FedBizOpps.gov as required by FAR Subpart 5.2.

7. DETERMINATION OF FAIR AND REASONABLE COST: The contracting officer determines that the anticipated cost to the Government will be fair and reasonable. This part is a commercial/non-developmental/off-the-shelf item. A commercial item determination has been made by the contracting officer and the requirement for certified cost or pricing data over the TINA threshold is expected to be waived. Commercial item descriptions, commercial vendor catalog, or price lists will apply.

8. DESCRIPTION OF MARKET SURVEY: A technical review, which consisted of searching several Government databases including ITIMP, FLIS and ERP, has been completed on this item. Search criteria included Part Number, Design Control Activity, Cage Code, NSN, Nomenclature, AMC/AMSC, AAC, Criticality Coding, recorded approved sourced of supply, historical sources of supply and past contracts. Based on this market research the contracting officer has determined that the only known manufacturing source is **Cage Code 82199 ROHDE & SCHWARZ USA INC.** A sources sought notice was issued on 06 January 2016 for 7 days on Fedbizopps.

9. ANY OTHER SUPPORTING FACTS:

- A competitive, Indefinite Delivery, Indefinite Quantity (IDIQ) contract is in progress (Solicitation #SPRMM1-16-R-YB74). It is expected to be in place by the end of year 2016.

- The part required is a competitive, commercial Spectrum Analyzer. The statement of work for the analyzer contains the specifications to meet technical acceptability, and these specs are maintained & evaluated by the Naval Research Laboratory. This part was last competed in 2010 and placed on a 5-year IDIQ - N0010410DD016. Rohde & Schwarz USA Inc was the awardee. Rohde & Schwarz' product had to undergo bid-sample testing, first article testing, COTS manual review, logistical data review and provisioning. Based on this award 869 each of the Rhode and Schwarz model were procured and placed into US Navy service. A new 5-year IDIQ for this part is in the solicitation phase, but is not expected to be in place until the end of 2016 due to the time consuming nature of this process. Unforeseen demand is forcing this one-time buy to be pushed through. The Navy has accrued 42 customer requisitions for a total of 167 spectrum analyzers. 29 orders for a total of 58 each are for new ship outfitting requirements where the program office has stated only the Rhode and Schwarz model is acceptable based on the Ships Portable Electronic Test Equipment Requirements List (SPETREL) having been built as part of the outfitting baseline. Each hull's ILS documentation includes the allowance documentation corresponding to this specified model. Changes to this model will delay outfitting and in some cases may delay ship delivery to the US Navy. Any delays will certainly result in claims by the shipbuilder. Waiting until the IDIQ contract is in place for this part would cause unacceptable delays in fulfilling the agency's requirements. Also, competing this one-time-buy would duplicate cost, time, and resources to evaluate several contractor proposals as well as duplicate the efforts currently in process to establish a new 5-year IDIQ.

10. LISTING OF INTERESTED SOURCES: The following manufacturing sources have expressed, in writing, an interest in this acquisition:

Signal Test Inc., TEVET LLC – These sources will be directed to the current open solicitation for the competitive long-term contract.

11. ACTIONS TO REMOVE BARRIERS TO COMPETITION: For reasons set forth in Paragraph (5) and (9), NAVSUP WSS will not be competing this 1-time buy due to cost constraints and current agency requirements. A competitive, 5-year IDIQ is in progress and will be utilized to fulfill all future needs of the fleet for this part.

12. STATEMENT OF DELIVERY REQUIREMENTS:

(a) The required delivery date (month/year) is: 2/16. The following requisitions are all agency backorders.

N0017453085433	N7027260843631
N0042152934701	N60530610208MK
N60530527101DW	N630825273MN49
N60530527102DW	N6426760770456
N60530531402DW	N683356036B708
N60530600704MK	N6929152440287
N60530600810MH	N6929152440288
N60530602523DW	N6929152440289
N60530603415MH	N6929152440290
N60530606820DW	N6929152440291
N60530609204DW	N6929152440292
N60530534208DW	PJAH5460401227
N60530604718RX	PJAP5460401226
N60530604937RX	R0912453278A02
V231646033CE90A	Z5260052390433

13. REFERENCE TO THE APPROVED ACQUISITION PLAN: An Acquisition Plan is not required for this acquisition.

14. DOCUMENTATION FOR SPARE/REPAIR PARTS ACQUISITIONS: The specifications for the above articles have been reviewed and reflect the minimum needs of the Government.

REQUISITION NUMBER/PD: VARIOUS/SEE ATTACHED

FOLDER NUMBER 16235-0049

TECHNICAL AND REQUIREMENTS CERTIFICATION

REQUIRED BY FAR 6.303-2(b)

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.

TECHNICAL COGNIZANCE:

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
[Redacted]	[Redacted]	[Redacted]	[Redacted]	105 Feb 16

REQUIREMENTS COGNIZANCE:

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
[Redacted]	[Redacted]	[Redacted]	[Redacted]	11 Feb 2016

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

CONTRACTING OFFICER'S CERTIFICATION REQUIRED BY FAR 6.303-2(a)(12)

I certify that this justification is accurate and complete to the best of my knowledge and belief. (Represents approval if less than \$650K.)

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
<i>Emily Bear</i>	Contracting Officer Emily Bear	ZIC	x5885	4/12/16

APPROVAL REQUIRED BY FAR 6.304

APPROVAL: (Over \$650K)

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
<i>[Signature]</i>	High-Risk Contract Competition Advocate		(614) 692-7318	4/15/16

Approval Levels:

Contracting officer:

Up to \$650,000

DLA HQ: over \$62,500,000

Competition Advocate:

\$650,000 to \$12,500,000

HCA:

\$12,500,000 to \$62,500,000