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

A5

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0010416X7084	**FOLDER NUMBER:** 16106-0065

[redacted] (Item Manager's Name) *Please Print*		[redacted] (Extension)		[redacted] (Code)
[redacted] (Technician's Name) *Please Print*		[redacted] (Extension)		[redacted] (Code)
[redacted] (Buyer's Name) *Please Print*		[redacted] (Extension)		[redacted] (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	TWT TRI-BAND	Quantity	16
NSN	7GH 5895 015746299	Cage Code	51YP5, L03V4
P/N	T01TOB0SAA000F04	Unit Price	[redacted]
Estimated Value (include option) $	[redacted]		

Appropriation, Subhead and Cost Code:
97 00 XX XX 4930 NC1A 000 81004 0 050120 7T 000000 8RMC00000000

No Option X

This TWT TRI-BAND is used on the DMR AN/USC-69(V) system. , AN/USC-61(C), is the first software-defined radio to have become a communications system standard for the U.S. Military. The compact, multi-channel provides multiple waveforms and multi-level information security for voice and data communications from the core of the network to the tactical edge.

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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	1R	. For the reasons explained below, these

Supplies are only available from the following source(s): 51YP5 (Communications and Power Industries), L03V4 (CPI)

AMC 1. Suitable for competitive acquisition for the second or subsequent time.
AMSC R. The Government does not own the data or the rights to the data needed to purchase this part from additional sources. It has been determined to be uneconomical to buy the data or rights to the data. It is uneconomical to reverse engineer the part. This code is used when the Government did not initially purchase the data and/or rights. If only one source has the rights or data to manufacture this item, AMCs 3, 4, or 5 are valid. If two or more sources have the rights or data to manufacture this item, AMCs 1 or 2 are valid.

The Government does not have the rights to the drawings to be able to solicit competitively or to guarantee the same form, fit and function as the item currently being procured. CAGE 51YP5 and CAGE L03VR own the data and the rights to the data required for procurement. They are the only sources available for this item at this time. Previous NAVSUP requirements have been successfully supported by CAGE 51YP5, and CAGE L03VR.

6. GOVERNMENTWIDE POINT OF ENTRY NOTICE/POTENTIAL SOURCES: The government will synopsize 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. In instances when certified cost and pricing data are required, an analysis of cost information will be performed which will consider field pricing reports, commerciality, procurement history and other available cost and pricing information in determining price reasonableness. When certified cost and pricing data is obtained it will be used to ensure reasonableness, completeness and realism of proposed costs as required.

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 sources are 51YP5 and L03V4. A Sources Sought Notice was issued on 28 April 2016 and closed 05 May 2016. No interest was received.

9. ANY OTHER SUPPORTING FACTS:

The articles to be procured are complex and must meet operational and reliability requirements, the achievement of which requires unique production techniques and extensive and/or sophisticated testing. The Government does not possess any technical data on the subject NSN/NIIN. Therefore, NAVSUP WSS has no plans at this time, to compete future contracts and if a vendor responds to a synopsis, they will be referred to the ISEA for technical capability assessment.

10. LISTING OF INTERESTED SOURCES: The following sources have expressed, in writing, an interest in this acquisition: *NONE AT THIS TIME.*

11. ACTIONS TO REMOVE BARRIERS TO COMPETITION: The government will include a clause in this solicitation that provides that the government will consider alternate offers, and that alternate offerors should submit a source approval request (SAR) package that will be referred to the cognizant engineering activity. If, due to mission requirements, the current procurement cannot be delayed in order to allow sufficient time for the engineering activity to determine whether to approve the alternate offer, the SAR package will be considered for future awards. This item has been reviewed under the NAVSUP WSS limited screen process and determined that the item cannot be broken out. No additional actions to remove barriers to competition are required under this process. There is no previous Justification for Other than Full and Open Competition.

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12. STATEMENT OF DELIVERY REQUIREMENTS:

(a) The required delivery date (month/year) is: 09/2017

(b) Ship To:
W62G2T 3ea
W25G1U 9ea

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.

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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:

[redacted]				(Date) 9/1/16
R [redacted]				9.1.16
(Signature)	(Name & Title)	(Code)	(Phone)	(Date)

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)

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 $~~700~~K.)

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
	J. Kenoon Sup. Contract Spec	21A	2859	9-1-16

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

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)

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APPROVAL REQUIRED BY FAR 6.304

APPROVAL: **(Over $700K)**

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)

Approval Levels:

Contracting Officer:	$150,000 up to $650,000
Competition Advocate:	>$650,000 up to $12,500,000
HCA:	>$12,500,000 up to $85,500,000
ASN(RD&A):	>$85,500,000