



DEFENSE LOGISTICS AGENCY

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

AD

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0010416XA532 **FOLDER NUMBER:** 16204-0057

(Item Manager's Name) <i>Please Print</i>	(Extension)	(Code)
[REDACTED]	[REDACTED]	[REDACTED]
(Technician's Name) <i>Please Print</i>	(Extension)	(Code)
[REDACTED]	[REDACTED]	[REDACTED]
(Buyer's Name) <i>Please Print</i>	(Extension)	(Code)
[REDACTED]	[REDACTED]	[REDACTED]

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. The proposed contract action is to purchase a Self-Contained Breathing Apparatus, or Emergency Escape Breathing Device (EEBD), which is a critical survival device for personnel aboard Naval vessels. The EEBD is a Commercial Off the Shelf item in accordance with the FAR definition in subpart 2.101. FAR part 12 procedures will be utilized.

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

Nomen	BREATHING APPARATUS	Quantity	30,000
NSN	4240-01-650-5019	Cage Code	03WY2
P/N	M-20.3RQ	Unit Price	[REDACTED]
		Total Price	[REDACTED]

No Option

Item Description: The Ocenco Inc. M-20.3RQ EEBD instantly provides breathable air, independent of the surrounding atmosphere, to a person escaping from toxic gas or an oxygen deficient atmosphere. In the event of a fire or other emergency, this EEBD is critical to the survival of personnel aboard the ships. The EEBD can be donned in less than 10 seconds and provides for at least 15 minutes of oxygen to its user, enabling the escape from various life threatening situations. The Ocenco EEBD has a 15 year shelf life at which time the NIOSH certification expires and the unit is no longer approved to be aboard ships. Many of the Navy's EEBDs are nearing this life expectancy, resulting in the recurring demand that makes this contract necessary for adequate support of this life saving device. The Navy end user requires this EEBD to be certified to the National Institute for Occupational Safety and Health (NIOSH) requirements for testing and certification of closed-circuit escape respirators. The NIOSH requirements are designed to strengthen emergency respiratory protection for workers in escaping from toxic concentrations of fumes, gases, or smoke, or from confined areas where there is insufficient oxygen, posing immediate dangers to life or health.

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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 3C. For the reasons explained below, these Supplies are only available from the following source(s): OCENCO Inc. CAGE 03WY2

The NSN/Part Number specified herein utilizes a requalified cylinder, which is only available to OCENCO as they are the only company that receives the expired OCENCO EEBDs back from the fleet for proper disposal. OCENCO removes the cylinder from the returned EEBDs and cleans, refurbishes, tests, and reuses it in a new EEBD. OCENCO is the only company that can provide P/N M-20.3-RQ to the Government. The current Acquisition Method/Suffix Code (AMC/AMSC) is: 3C. The AMC advises the Contracting Officer or other Government personnel of the results of a technical review of a part and its suitability for breakout. The number "3" instructs "acquire for the second or subsequent time from the actual manufacturer". The AMSC advises of engineering, manufacturing and technical information. In this instance "C" denotes that the part "requires engineering source approval by the design control activity".

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. 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 source is Ocenco Inc.. A sources sought notice was posted to FBO.gov on 7/26/2016 and closed on 8/3/2016. No interest was received in response to the sources sought notice.

9. ANY OTHER SUPPORTING FACTS:

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

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. There are no previous procurements for this NSN.

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12. STATEMENT OF DELIVERY REQUIREMENTS:

(a) The required delivery date (month/year) is: 12 | 2016

(b) Ship To:

W25G1U

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:

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
[Redacted]	[Redacted]	[Redacted]	[Redacted]	7/27/16

REQUIREMENTS COGNIZANCE:

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
[Redacted]	[Redacted]	[Redacted]	[Redacted]	7/27/16

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 \$700K.)

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
<i>Emily Bear</i>	Contracting Officer Emily Bear	21C	X5885	7/28/16

APPROVAL REQUIRED BY FAR 6.304
APPROVAL: (Over \$700K)

(Signature)	(Name & Title)	(Code)	(Phone)	(Date)
<i>Mary E. Coulter</i> Mary E. Coulter Competition Advocate	(No past J&A's available for review.)		X2-7318	8/10/2016

Approval Levels:

- Contracting officer: Up to \$700,000
- Competition Advocate: \$700,000 to \$13,500,000
- HCA: \$13,500,000 to \$68,000,000
- DLA HQ: over \$68,000,000