



DEFENSE LOGISTICS AGENCY
DLA Aviation Strategic Acquisition
 at Philadelphia, PA
 700 Robbins Avenue, Building 1
 Philadelphia, PA 19111-5098

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N00383RCPZ006 FOLDER NUMBER: _____

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

<u>JOHN TANTOCO</u> (Item Manager's Name) <i>Please Print</i>	<u>[REDACTED]</u> (Extension)	<u>0343.03</u> (Code)
<u>MICHAEL MULLER</u> (Technician's Name) <i>Please Print</i>	<u>[REDACTED]</u> (Extension)	<u>0320.T</u> (Code)
<u>ANDREW KAY</u> (Buyer's Name) <i>Please Print</i>	<u>[REDACTED]</u> (Extension)	<u>APAB.10</u> (Code)

1. IDENTIFICATION OF AGENCY AND/OR CONTRACTING ACTIVITY: DLA Aviation Strategic Acquisition at Philadelphia, PA.

2. NATURE/DESCRIPTION OF ACTION: This J&A is for the negotiation and award of a Indefinite Quantity Contract through other than full and open competition. This contract will establish prices which will be valid for a period of up to 4 year(s).

3. DESCRIPTION OF SUPPLIES/SERVICES: This J&A covers the acquisition of spare parts in support of the ARS-6 system.

Nomen <u>VARIOUS</u> (see Attached)	Quantity <u>VARIOUS</u> (see Attached)
NSN <u>VARIOUS</u>	Cage Code <u>94987</u>
P/N <u>VARIOUS</u>	Unit Price <u>VARIOUS</u>

Estimated Value (include option): [REDACTED]
 Appropriation, Subhead and Cost Code: GFE

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

5. DEMONSTRATION OF CONTRACTORS UNIQUE QUALIFICATIONS: The current Acquisition Method Code (AMC/AMSC) is 3C. This acquisition will be negotiated with CUBIC DEFENSE APPLICATIONS INC. (94987)

Only the above will be solicited because the articles to be acquired are highly specialized parts, designed and manufactured by a non-Government activity and the technical data required for acquisition by other than the above is not available.

6. **FEDERAL BUSINESS OPPORTUNITIES/POTENTIAL SOURCES:** The proposed contract was/will be synopsized in the FedBizOpps website for government wide point of entry.

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 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 reasonableness. Certified cost and pricing data will be obtained and used to ensure reasonableness, completeness and realism of proposed costs as required.

8. **DESCRIPTION OF MARKET SURVEY:** A technical review has been made to determine and identify all known sources.

9. **ANY OTHER SUPPORTING FACTS:**

The spare parts covered by this acquisition have been continually acquired from CUBIC DEFENCE APPLICATIONS INC. for the past 5 years, and although the requirements are recurring, NAVSUP WSS is unable to determine precise quantities required beyond a minimum number for a given time. Demand for the item(s) is subject to fluctuation, and it is therefore not in the best interest to obligate the Government to more than a minimum quantity. Historically requirements for these items have been satisfied through individual procurements. The Contracting Officer has determined that an indefinite type contract will significantly reduce lead times and provide for earliest delivery of required material. The proposed contract will be written for a total period of 4 year(s), which includes a base period of 2 year(s) plus 2 one-year option(s) and will obligate the Government to order a minimum quantity of the items. Once the minimum is satisfied, all obligations to the contractor are satisfied. The Government has no obligation to place additional orders, however, the vehicle is in place by which orders may be placed at the established firm-fixed prices should the Government choose to do so. The Contracting Officer has concluded the award of a base contract with 1 one-year option(s) is the best vehicle for ensuring the most advantageous price and delivery terms for meeting the Government's needs.

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

NONE AS OF 7/30/2012

11. **ACTIONS TO REMOVE BARRIERS TO COMPETITION:**

The NAVSUP Weapons Systems Support Source Development Department has completed a full screen review on the subject items. The AMC/AMSC is (3C) with CUBIC DEFENSE APPLICATIONS INC (94987) as the only approved source of supply. No other sources have expressed an interest in manufacturing the subject items to the Source Development Department. Available data has not been found adequate to support competitive acquisition. Additional sources must obtain engineering source approval prior to contract award. NAVSUP will continue to encourage manufacturers with the expertise to manufacture the subject items to submit a complete technical data package for review and source approval by the appropriate engineering source approval authority. Future requirements will continue to be advertised in the FedBizOpps website (www.fedbizopps.gov) and in the NAVSUP Buy Requirements Listings. APB

12. STATEMENT OF DELIVERY REQUIREMENTS:

(a) The required delivery date (month/year) is: SEE ATTACHMENT

(b) Ship To:

CHOSXD

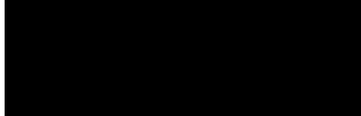
13. REFERENCE TO THE APPROVED ACQUISITION PLAN: An Acquisition Plan is not required for this acquisition.

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

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:

 Michael Muller E.S. 0320.J  4/13/12
 (Signature) (Name and Title) (Code) (Phone) (Date)

Procurement Cognizance:

 John Tando GFC Lead 0343.03  4/14/12
 (Signature) (Name and Title) (Code) (Phone) (Date)

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

A. Solomon A. Solomon: Procurement Advocate
 Code: 071.20 Phone  MAY 01 2012
 (Signature) (Name and 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 \$650K).

 John J. Kenney APAA  7/31/12
 (Signature) (Name and Title) (Code) (Phone) (Date)

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

 Sharif T. Dawson, Esq. 1/31/12
 (Signature) (Name and Title) Associate Counsel
 DLA Counsel Aviation
 Phone:  (Phone) (Date)

APPROVAL REQUIRED BY FAR 6.304

F. Hayden Acting CA  8/6/12
 (Signature) (Name and Title) (Code) (Phone) (Date)

Approval Levels:

- Contracting Officer: Up to \$650,000
- Competition Advocate: \$650,000 to \$12,500,000
- HCA: \$12,500,000 to \$85,500,000
- DLA SPE: over \$85,500,000