



DEFENSE LOGISTICS AGENCY
AVIATION
 700 ROBBINS AVENUE, BUILDING 1, ROOM 2211
 PHILADELPHIA, PENNSYLVANIA 19111-5098

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0038313X4721 **FOLDER NUMBER:** 13170-0087

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

<u>Michael Fox</u>	<u>[REDACTED]</u>	<u>0312.28</u>
(Item Manager's Name) <i>Please Print</i>	(Extension)	(Code)
<u>Owen Ryan</u>	<u>[REDACTED]</u>	<u>0312.51</u>
(Technician's Name) <i>Please Print</i>	(Extension)	(Code)
<u>Keli Boush</u> <u>John Gormley</u>	<u>[REDACTED]</u>	<u>APAB, 03</u>
(Buyer's Name) <i>Please Print</i>	(Extension)	(Code)

- CONTRACTING ACTIVITY:** DLA Aviation Strategic Acquisition at Philadelphia, PA.
- DESCRIPTION OF THE ACTION BEING APPROVED:** Negotiation and award of a contract through other than full and open competition.
- DESCRIPTION OF SUPPLIES/SERVICES:** This J&A covers the acquisition of the following article(s):

Nomen	<u>Data Terminal Set</u>	Quantity	<u>[REDACTED]</u>
NSN	<u>1680-01-581-7912</u>	CAGE Code	<u>26512</u>
P/N	<u>37900-501-2012</u>	Unit Price	<u>[REDACTED]</u>

Estimated Value (include option) [REDACTED]

Appropriation, Subhead and Cost Code: 9700XXXX4930NC1A0008500400501207R000000

Cost Code: 7PPJ00000000

The required delivery date is: July 01, 2014 Ship To: SW3117 Norfolk

- 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 a limited number of 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: 3H

This acquisition will be negotiated with: DRS ICAS LLC (OCDN3) who is the only valid source of manufacture, approved by NAVAIR at this time. The subject item is critical, all alternate sources must qualify in I/A/W the Design Control Activity procedures as approved by NAVAIR prior to contract award.

AMC "3" acquire, for the second or subsequent time, directly from the actual manufacturer.

AMSC "H" The government does not have in its possession sufficient, accurate, or legible data to purchase this part from other than the current source(s). The deficiency is under review for resolution.

6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERERS AS PRACTICABLE:

The proposed contract was synopsisized in the FedBizOpps website for government wide point of entry on 10/22/13. The following sources have expressed an interest in the acquisition:
None

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:

DRS ICAS LLC (OCDN3) is the only available source at this time capable of manufacturing and testing the subject item. A criticality determination has been performed. The subject item is critical, all alternate sources must qualify in I/A/W the Design Control Activity procedures as approved by NAVAIR prior to contract award. Available data including all manufacturing publications, supporting test equipment availability, and associated drawings and specifications required to manufacture the subject item has not been found adequate to support full and open competition. At this time no other commercial manufacturing facilities have the expertise, facilities, or the test equipment necessary to manufacture the subject item other than DRS ICAS LLC (OCDN3). No other sources have currently expressed an interest in becoming an approved manufacturing source for the subject item to the source Development Department. To promote manufacturing 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, namely, NAVSUP WSS, FRCSW, and NAVAIR. Also future requirements will be advertised in the FedBizOps website (www.fedbizops.gov). (www.fedbizops.gov).

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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 and 6, NAVSUP/WSS has no plans at this time to compete future contracts for the types of supply/services covered by this document. If other potential sources are interested, NAVSUP/WSS will assess whether competition for future requirements is feasible.

9. **REFERENCE TO THE APPROVED ACQUISITION PLAN:** A formal acquisition plan is not required for this acquisition.

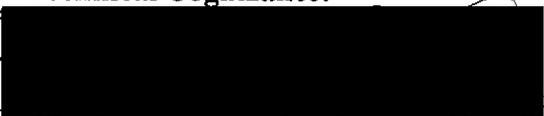
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CERTIFICATIONS AND APPROVAL
TECHNICAL/REQUIREMENTS CERTIFICATION

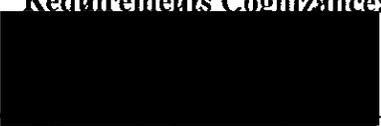
I certify that the facts and representations under my cognizance which are included in this Justification and which form a basis for this justification are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:

*0312.57
14257*

 Ricardo A. Fields  3-26-14
Signature Name (Printed) Phone No. Date

Requirements Cognizance:

 Michael Z Fay Lms  3/26/2014
Signature Name (Printed) Phone No. Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

 A. Solomon: Procurement Analyst
Code: 071.20 Phone: 215-697- MAR 28 2014
Signature Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION

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

 Keli Barish, PCO  4/1/14
Signature Name (Printed) Phone No. Date

REVIEWED BY COUNSEL FOR LEGAL SUFFICIENCY: (Over \$150k)

I have determined this Justification is legally sufficient.

 Sharif T. Dawson, Esq.
Associate Counsel
DLA Counsel Aviation
Phone (215) 697- 4/2/14
Signature Name (Printed) Phone No. Date

APPROVAL REQUIRED BY FAR 6.304

Signature Name (Printed) Phone No. Date

Approval Levels:

- Contracting Officer: \$150,000 up to \$650,000
- Competition Advocate: Over \$650,000 up to \$12,500,000
- HCA: Over \$12,500,000 up to \$85,500,000
- DLA SPE: Over \$85,500,000