

5. RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:

The current Acquisition Method Code/Acquisition Method Suffix Code (AMC/AMSC) is: 3C

3- Acquire, for the second or subsequent time, directly from the actual manufacturer.

C-This part requires engineering source approval by the design control activity in order to maintain the quality of the part. Existing unique design capability, engineering skills, and manufacturing knowledge by the qualified source(s) require acquisition of the part from the approved source(s). The approved source(s) retain data rights, manufacturing knowledge, or technical data that are not economically available to the Government, and the data or knowledge is essential to maintaining the quality of the part. An alternate source must qualify in accordance with the design control activity's procedures, as approved by the cognizant Government engineering activity. The qualification procedures must be approved by the Government engineering activity having jurisdiction over the part in the intended application.

This acquisition will be negotiated with: THE BOEING COMPANY (76301) No other commercial supply source have the expertise, facilities or the test equipment necessary to produce the items due to the proprietary data rights exercised by THE BOEING COMPANY (76301). The basis for this proprietary assertion is due to the expenses accrued by THE BOEING COMPANY (76301) in the development of said items. Furthermore these items are also considered critical to safety of flight thus, additional sources must obtain engineering source approval prior to contract award. For these reasons NAVSUP WSS is presently unable to fully compete these items.

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 Oct 2013. The following sources have expressed an interest in the acquisition:

NONE as of 9/22/14

Market research was conducted in accordance with FAR Part 10. The results of the market research conducted are as follows: The NAVSUP Weapon Systems Support (WSS) Source Development Department (SDD) has conducted a market research per the market research document. The subject Arresting Hook is a Critical Safety Item (CSI) and all alternate sources must qualify IAW the design control activity's procedures, as approved by NAVAIR prior to contract award. Available data including all publications, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item are not available to purchase from other than the current approved source of supply the Boeing Company (76301). Available data including all 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. 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 competition the NAVSUP WSS will continue to encourage manufacturers with the expertise to manufacture the subject item to

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submit a complete technical data package for review and source approval by the appropriate engineering source approval authority per the (WSS) guidelines. Also future requirements will be advertised in the FedBizOps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval Requests.

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) & (6), NAVSUP WSS has no plans at this time to compete future contracts for the types of supplies/services covered by this document. If another potential manufacturing source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible.

9. **REFERENCE TO THE APPROVED ACQUISITION PLAN:** An Informal Formal acquisition plan is is not required for this acquisition.

