

Alvin  
cgp

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

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION**

Folder Number:

Requisition/PD#

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

Item Manager's Name  Extension  Code

Technician's Name  Extension  Code

Buyer's Name  Extension  Code

**1. CONTRACTING ACTIVITY:** DLA Aviation Strategic Acquisition at Philadelphia, PA

**2. DESCRIPTION OF THE ACTION BEING APPROVED:** Negotiation and award of a contract through other than full and open competition.

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

Nomen:  Quantity:

NSN:  CAGE Code:

P/N:  Unit Price: \$

Estimated Value (include option): \$  The required delivery date is:

Ship To:

Line of Accounting

**4. 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 limited 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:    multiple codes see pg 2 for definitions

Folder Number:

Requisition/PD# N0038316RCPZ006

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

AMSC 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: Sierra Nevada Corp (8X691)

The technical data required to manufacture item 00411300-1 is owned by Sierra Nevada Corp (8X691). Currently, no other source is able to become an approved source because Sierra Nevada Corp (8X691) has declined to license its technical data to any other commercial vendor. Sierra Nevada Corp (8X691) owns the test equipment and is the only approved source of manufacture at this time for this item. A Criticality determination for item 00411300-1 has not yet been entered into JDRS therefore a request for determination and entry into JDRS has been submitted.

**6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:** The proposed contract action was synopsized and included a Sources Sought Notice on the FedBizOpps website for government-wide point of entry on

11/10/2015

and as a result:

No parties interested

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:

The data necessary to facilitate competitive procurement of this Beacon Receiver Assembly, by sources other than Sierra Nevada Corp (8X691), is not currently available. The Source Development Department will send a letter to Sierra Nevada Corp (8X691) requesting a budgetary cost estimate and lead time for providing a complete Level III Technical Data Package with U.S. Government rights for use of data for competitive procurement purposes. A criticality determination for this item has not yet been entered into JDRS. A request for determination and entry into JDRS has been submitted. Source Development Department files indicate no SAR has been received from any company interested in becoming a source of supply for this item. Source Development Department files indicate Sierra Nevada Corp (8X691) is the only approved source of supply at this time. *APB*

**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), 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 source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible. Future requirements will be advertised in the FedBizOpps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval requests. *APB*

**9. REFERENCE TO THE APPROVED ACQUISITION PLAN:**

An informal / formal acquisition plan is / is not required for this acquisition.

Folder Number:

[Redacted]

Requisition/PD#

N0038316RCPZ006

**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:**

[Redacted]	[Redacted]	[Redacted]	1/6/2016
Signature	Name	Phone	Date

**Requirements Cognizance:**

[Redacted]	[Redacted]	[Redacted]	1/6/16
Signature	Name	Phone	Date

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

[Redacted]	John Sweeney	[Redacted]	18 Feb 2016
Signature	Name	Phone	Date

**CONTRACTING OFFICER CERTIFICATION**

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

[Redacted]	John Gormley	[Redacted]	2/19/2016
Signature	Name	Phone	Date

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient

[Redacted]	Sharif T. Dawson, Esq. Associate Counsel DLA Counsel Aviation	[Redacted]	2/19/16
Signature	Name	Phone	Date

**APPROVAL REQUIRED BY FAR 6.304**

[Redacted]	Claudette Parrott Competition Advocate	[Redacted]	2.19.16
Signature	Name	Phone	Date

**Approval Levels:**

\$150,000 - \$700,000:	Contracting Officer
Over \$700,000 - \$13,500,000:	Competition Advocate
Over \$13,500,000 - \$93,000,000:	HCA
Over \$93,000,000:	DLA SPE