



DEFENSE LOGISTICS AGENCY

DLA Philadelphia

DLR Procurement Operations, DSCR-ZC
700 Robbins Avenue, Building 1
Philadelphia, PA 19111-5098

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0038310YZH70

FOLDER NUMBER: 10216-0078

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

LINDA OTT
(Item Manager's Name) *Please Print*

█
(Extension)

0322.13
(Code)

BRENT SHELDON
(Technician's Name) *Please Print*

█
(Extension)

0322.55
(Code)

LEE WAGMAN
(Buyer's Name) *Please Print*

█
(Extension)

ZCBB
(Code)

1. **IDENTIFICATION OF AGENCY AND/OR CONTRACTING ACTIVITY:** DLA Philadelphia DLR Procurement Operations.

2. **NATURE/DESCRIPTION OF ACTION:** This J&A is for the 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	<u>ACTUATOR,ELECTRO-ME</u>	Quantity	█
NSN	<u>4810014611917V2</u>	Cage Code	<u>77272</u>
P/N	<u>901-382-012-105</u>	Unit Price	█

Estimated Value (include option): █

Appropriation, Subhead and Cost Code: 97 00 XX XX 4930 NC1A 7PP1000V2P2V

Undefinitized Contractual Action Y

4. **IDENTIFICATION OF STATUTORY AUTHORITY:** This J&A is based upon the authority of 10 USC 2304(c)(2), as implemented by Federal Acquisition Regulation 6.302.2

5. **DEMONSTRATION OF THE URGENT NATURE OF THIS ACQUISITION:** The current Acquisition Method Code (AMC/AMSC) is 2B. This acquisition will be negotiated with

THE BOEING COMPANY(77272)
Waiver of FAT will be granted for: N/A
Leadtime associated with FAT is N/A

Because the agency's need for the above supplies is of such unusual and compelling urgency, the above concern(s) is/are the only source(s) capable of meeting the required delivery schedule.

6. **FEDERAL BUSINESS OPPORTUNITIES/POTENTIAL SOURCES:** Synopsis of the contract was waived in accordance with FAR 5.202(a)(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. 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:** Failure to obtain timely delivery of the required supplies will result in: accrual of 109 backorders at the end of production leadtime. This will cause grounded aircraft and severely degrade MV/CV-22 mission capability. Soliciting to buy these 16 units exclusively from Boeing will result in a production leadtime reduction of 17 months. Boeing has 16 assets on the shelf ready for immediate delivery after receipt of an order. Moog would require 17 months to manufacture 16 Flaperon Actuators. During the 17 month production leadtime, it is anticipated that demand will rise due to and increase in fleet inventory of V-22s by 36 aircraft, 100 more Flaperon Actuators will be required to support 8 new V-22 sites, and 109 backorders are expected to accumulate. This item is one of the top ten V-22 aircraft degraders. It is crucial to take immediate action to procure these 16 readily available assets to avoid future degradation of fleet support and, the resulting decrease in MV/CV-22 mission capability.

(a) Backorders: 90 On Hand: 0 On Contract: 139

(b) Anticipated additional backorders during PLT: 109 Quarterly Demand: 44.50

(c) Other facts as applicable:

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

NONE

11. **ACTIONS TO REMOVE BARRIERS TO COMPETITION:** The AMC/AMSC is (2B) with THE BOEING COMPANY(77272) and Moog (94697) as the only approved sources of supply. The subject item is considered critical to safety of flight: therefore, additional sources must obtain engineering source approval prior to contract award. NAVICP and the DLA Philadelphia Competition Advocate 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, NAVICP, NADEP or NAVAIR. Future requirements will be advertised in the FedBizOpps website (www.fedbizopps.gov) and the NAVICP Buy Requirements Listing in order to encourage potential suppliers to submit Source Approval Requests.

12. **STATEMENT OF DELIVERY REQUIREMENTS:**

(a) The required delivery date (month/year) is: 15 DAYS ARO

(b) Ship To:
SW3113

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.

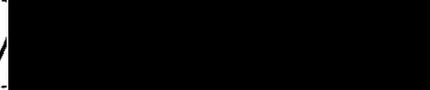
Technical Cognizance:

	<i>EQUIP. SPECIALIST Drent P. Sheldon</i>	<i>0322.55</i>		<i>8/5/10</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

Requirements Cognizance:

	<i>SLMS</i>	<i>0322A</i>		<i>8/5/10</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

	A. Solomon: Procurement Analyst			AUG 25 2010
(Signature)	(Name and Title)	Code: 071.20	Phone: 215-697-6278	(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 \$550K).

	<i>PCO</i>	<i>ZCBB-01</i>		<i>8/30/10</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

REVIEWED FOR LEGAL SUFFICIENCY BY COUNSEL: (Over \$550K)

	<i>Shirley Dunsen Assoc. Counsel</i>	<i>HCA Counsel</i>		<i>8/31/10</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

APPROVAL REQUIRED BY FAR 6.304

<i>P. Hayden acting</i>	B. Keane: Competition Advocate			<i>8/31/10</i>
(Signature)	(Name and Title)	Code: ZCSB	Phone: (215) 	(Date)

Approval Levels:

- Contracting Officer: Up to \$550,000
- Competition Advocate: \$550,000 to \$11,500,000
- HCA: \$11,500,000 to \$78,500,000
- DLA SPE: over \$78,500,000