

06/02/2010

MEMORANDUM

From: 073

To: 074

Subj: **STATEMENTS OF PREVIOUS ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION**

Ref: (a) OOB Memo of 17th December 1991

J&A REQUISITION NUMBER: **N0038310X2134**

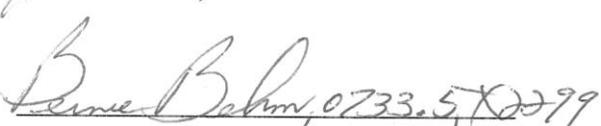
NSN: **1650 011318846 GF**

NOMENCLATURE: **CYLINDER,ACTUATING,**

073 Previously reviewed the subject item and established a plan to remove barriers to competition.

No previous plan was developed by 073 for this item as prior procurements did not meet the criteria set forth in reference(a).

  
\_\_\_\_\_  
(SIGNATURE)

  
(NAME, CODE, PHONE)



**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: N0038310X2134

FOLDER NUMBER: 100090011

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

Patricia Biddle  
(Item Manager's Name) *Please Print*

[Redacted]  
(Extension)

03111.11  
(Code)

Anthony J. Martone  
(Technician's Name) *Please Print*

[Redacted]  
(Extension)

03113.12  
(Code)

Andrew Kay  
(Buyer's Name) *Please Print*

[Redacted]  
(Extension)

ZCA.15  
(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>CYLINDER,ACTUATING,</u>	Quantity	[Redacted]
NSN	<u>1650011318846GF</u>	Cage Code	81873
P/N	<u>41003557-101</u>	Unit Price	[Redacted]

Estimated Value (include option): [Redacted]

Appropriation, Subhead and Cost Code: 97X4930 7PP1000SFPA7

**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 3H. This acquisition will be negotiated with

H.R. Textron (81873)

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 synopsisized 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 articles to be procured are complex and must meet critical operational and reliability requirements, the achievement of which requires unique production techniques and extensive and/or sophisticated testing, and the government has not yet acquired or developed the technical data.
10. **LISTING OF INTERESTED SOURCES:** The following sources have expressed, in writing, an interest in this acquisition.
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11. **ACTIONS TO REMOVE BARRIERS TO COMPETITION:** The Naval Inventory Control Point Source Development Department has completed a full screen review on the subject Actuating Cylinder. The AMC/AMSC is "3H" with H.R. Textron (81873) as the only approved source of supply. No other sources have expressed an interest in manufacturing the subject item 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. NAVICP 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 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: Aug. 2010
- (b) Ship To:
- 

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.

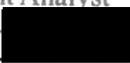
Technical Cognizance:

	<i>ES</i>	<i>03113.12</i>		<i>6/8/10</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

Requirements Cognizance:

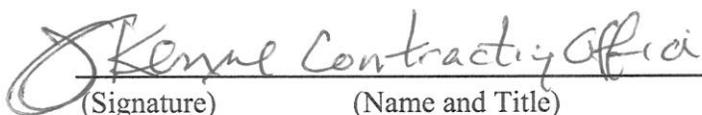
	<i>LM.5</i>	<i>03111.20</i>		<i>6/8/10</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

**REVIEW AND CONCURRENCE**

	A. Solomon: Procurement Analyst			<i>JUN 15 2010</i>
(Signature)	(Name and Title)	Code: 071.20 Phone: 215- 	(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 \$550K).

	<i>Contracting Officer</i>	<i>DTAA</i>		<i>7/21/11</i>
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

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

_____	_____	_____	_____	_____
(Signature)	(Name and Title)	(Code)	(Phone)	(Date)

**APPROVAL REQUIRED BY FAR 6.304**

_____	_____	_____	_____	_____
(Signature)	(Name and Title)	(Code)	(Phone)	(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