



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

*In/004
9/30
Raytheon*

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Folder Number: 15182-0018

Requisition/PD# ~~N0038315X3863~~, N0038315X3864, N0038315X3865, N0038315X3866, ~~N0038315X3867~~, N0038315X3868

PAT 544 2666079 PAT 544 3020077

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 [Redacted] Extension [Redacted] Code [Redacted]

Technician's Name [Redacted] Extension [Redacted] Code [Redacted]

Buyer's Name [Redacted] Extension [Redacted] Code [Redacted]

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: Various, see attachment "A" Quantity: Various

NSN: Various, see attachment "A" CAGE Code: 4U884

P/N: Various, see attachment "A" Unit Price: \$ [Redacted]

Estimated Value (include option): \$ [Redacted] The required delivery date is: Aug, 2016

Line of Accounting

97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPB00000000

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:

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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: Raytheon Company (4U884)

The technical data required to manufacture the items listed on attachment "A" is owned by Raytheon Company (4U884). Currently, no other source is able to become an approved source because Raytheon Company (4U884) has declined to license its technical data to any other commercial vendor. Additionally, all items listed on the attachment "A" are Critical Application Items (CAI). Additional sources for these CAI items must obtain engineering source approval by NAVSUP WSS engineering prior to award.

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 FedBizOps website for government-wide point of entry on

Jul 23, 2015

and as a result:

No other sources have expressed interest in this acquisition.

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 technical data necessary to facilitate competitive procurement of the six items listed on attachment "A" is not currently available. Currently no other source is able to be approved because The Raytheon Company (4U884) has declined to license its technical data to any other commercial vendor. NAVAIR has performed a criticality study on these items and has determined they are Critical Application Items (CAI). Additional manufacture sources will require NAVAIR engineering approval. Source Development Department files indicate no Source Approval Requests (SAR) have been received from any interested entities and that Raytheon (4U884) to be the only approved source at this time. Future requirements will be advertised in the FedBizOps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval Requests. *RJK*

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 FedBizOps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval requests. *RJK*

9. REFERENCE TO THE APPROVED ACQUISITION PLAN:

An informal / formal acquisition plan is / 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:

Signature [Redacted] Name [Redacted] Phone [Redacted] Date 8/26/2015

Requirements Cognizance:

Signature [Redacted] Name [Redacted] Phone [Redacted] Date 8/26/2015

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature [Redacted] Name A. Solomon: Procurement Analyst Code: N21.20 Phone [Redacted] Date AUG 26 2015

CONTRACTING OFFICER CERTIFICATION

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

Signature [Redacted] Name Brian Farrington Contracting Officer APBA Phone [Redacted] Date 9/23/2015

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

Signature [Redacted] Name Sharif T. Dawson, Esq. Associate Counsel DLA Counsel Aviation Phone [Redacted] Date 9/30/15

APPROVAL REQUIRED BY FAR 6.304

Signature [Handwritten Signature] Name Michael Massello Competition Advocate Phone [Redacted] Date 9/30/15

Approval Levels:

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