

9-9-16
CSP

**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: 15181-0037

Requisition/PD# N00383-15-X-3799

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

Kathleen Monaghan Item Manager's Name	[REDACTED] Extension	N9814.20 Code
Charles Garber Technician's Name	[REDACTED] Extension	N9814.50 Code
Candis Ralph Buyer's Name	[REDACTED] Extension	APAB.23 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: ELECTRON TUBE	Quantity: [REDACTED]
NSN: 7RE 5960-00-168-8387 XE	CAGE Code: 80080
P/N: L-8003	Unit Price: [REDACTED]

Estimated Value (include option): [REDACTED] The required delivery date is: FEB 2017

Ship To: N00164 (NSWC CRANE; P64)

Line of Accounting

9700XXXX4930NC1A0008500400501207R0000007PPD00000000

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

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AMC "3" - Upon performing limited screening review, this item is found to be already acquired/procured directly from the actual mfr/vendor.

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(s) the 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: L-3 COMMUNICATIONS CORP, CAGE 80080
ELECTRON DEVICES DIVISION
960 INDUSTRIAL ROAD, SAN CARLOS, CA 94070

L-3 Communications Corp, CAGE 80080 is the only known valid source of supply at this time as recommended/approved by CFA, NSWC-Crane, who has full capability, having the expertise in performing engineering skills, adequate facilities and sufficient tooling and test equipment necessary to manufacture and test subj item. Per verification from CFA, NSWC-Crane and BDE, NAVAIR PMA 234, it has been confirmed that the Government owns the rights to technical data (Dwgs etc.). Criticality, such as CAI, is now established in JDRS records to date (See attached JDRS sheet). This item lacks a complete drawing package, hence TDP to support open competition with new potential sources. The qualifying process is quite complex requiring NSWC-Crane to assist NAVSUPWSS technical team(s) in assessing any interested potential source(s) as well as resolving drawing/data package deficiencies. NAVAIR - PMA234 has also confirmed that in order to compete subj item procurements, the new source would require tooling development and successful Government First Article Test (GFAT) and flight test requirements completion as a necessity. They have also communicated that at this time it is not in the best interest of the Government to acquire source data for a component which the replacement system is in the acquisition process. The replacement system for the ALQ-99 TJS is the Next Generation Jammer (NGJ) which is scheduled for Initial Operational Capability (IOC) in YR 2021.

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

7/28/2015 Sources Sought 7/29/2015 Synopsis'

and as a result:

No sources Responded

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 procurement of this electron tube, from sources other than L-3 Communications (80080), is not available. NAVAIR has determined this item is a Critical Application Item (CAI). Prospective new sources of supply will require NAVAIR approval. Source Development Department files indicate no SAR has been received from any company interested in becoming a source of supply for this item. L-3 Communications (80080) 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 Paragraphs (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 source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible. Future requirements will be advertised in the FedBizOpps website (www.fedbizopps.gov). *APB*

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:

[Redacted Signature] CHARLES GARBER [Redacted Phone] 28 APR 2016
Name Phone Date

Requirements Cognizance:

[Redacted Signature] KATHY MONAGHAN [Redacted Phone] 28 APR 2016
Signature Name Phone Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[Redacted Signature] John Sweeney [Redacted Phone] 4 MAY 2016
Name Phone Date

CONTRACTING OFFICER CERTIFICATION

I certify that this justification is accurate and complete to the best of my knowledge and belief
[Redacted Signature] D. M. HENDERSON [Redacted Phone] 4 MAY 2016
Signature Name Date
CONTRACTING OFFICER

LEGAL SUFFICIENCY REVIEW

I hereby certify that this justification is legally sufficient
[Redacted Signature] Shanif T. Dawson, Esq. [Redacted Phone] 5/5/16
Signature Name Phone Date
Associate Counsel
DLA

APPROVAL REQUIRED BY FAR 6.304

[Redacted Signature] Claudette Parrott [Redacted Phone] 5.9.16
Signature Name Date
Comptroller

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