In/out 11/12 NG

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: 15071-0047

Requisition/PD# N0038315X2515

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

[redacted]

Item Manager's Name	Extension	Code

[redacted]

Technician's Name	Extension	Code

[redacted]

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: Tech Refresh Mission Computer

Quantity: 8

NSN: 1680016249378

CAGE Code: 06481 (Full)

P/N: 6B03374-0001

Unit Price: [redacted]

Estimated Value (include option): [redacted]

The required delivery date is: Oct ~~2015~~ 2017 (Full)

Line of Accounting

97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPV00000000

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: 3 C

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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: Northrop Grumman Guidance & Electronics Company Inc, cage 06481

Northrop Grumman Guidance & Electronics Company Inc (CAGE 06481) is the only source possessing the necessary data, test facilities, tooling, equipment and knowledge to produce this item at this time. In addition, the Government does not own or have the rights to the technical data necessary to conduct a competitive procurement for this effort. Due to the absence of the required technical data, items covered by this proposal are certified as sole source to Northrop Grumman Guidance & Electronics Company Inc. This item is a critical application Item (CAI), Only Northrop Grumman Guidance & Electronics Company Inc has the capability to procure for the subject requirement. Due to Northrop Grumman Guidance & Electronics Company Inc. ownership of the necessary data and source control authority, as well as its expertise relating to system development and integration for the UH-1Y and AH-1Z helicopter program, award to any other source at this time would result in significant risk to the program, and unacceptable delays in fulfilling immediate fleet requirements.

6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:

The proposed contract action was synopsized in the FedBizOpps website for government-wide point of entry on:

31 MAR 2015

The following sources have expressed an interest in this acquisition: None

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 tech refresh mission computer, from sources other than Northrop Grumman Guidance & Electronics Company Inc (CAGE 06481), is not currently available. The Source Development department will send a letter to Northrop Grumman (06481) 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. NAVAIR has deemed this item to be a Critical Application Item (CAI) therefore 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 and that Northrop Grumman (06481) is the only approved source of supply at this time. [illegible]

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. [illegible]

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	Name	Phone	Date
[redacted]			3/25/15

Requirements Cognizance:

Signature	Name	Phone	Date
[redacted]			3/25/15

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature	Name	Phone	Date
[redacted]	A. Solomon: Procurement Analyst Code: N21.20 Phone [redacted]		MAR 27 2015

CONTRACTING OFFICER CERTIFICATION

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

Signature	Name	Phone	Date
[redacted]	Thomas F. Kearney	[redacted]	3/31/15

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

Signature	Name	Phone	Date
[redacted]	Sharif T. Dawson, Esq. Associate Counsel DLA Counsel Aviation [redacted]		11/19/15

APPROVAL REQUIRED BY FAR 6.304

Signature	Name	Phone	Date
	Michael Massello Competition Advocate	[redacted]	11/19/15

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