

**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: 16076-0022

Requisition/PD# N0038316X2015

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

Patricia M. Berardi Item Manager's Name	[REDACTED] Extension	N9818.24 Code
John Goss Technician's Name	[REDACTED] Extension	N9818.T6 Code
Rick Ferraiolo Buyer's Name	[REDACTED] Extension	APAB 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: Color Day Display Module (CDDM) Quantity: [REDACTED]

NSN: 0R 6610-01-644-9990 CAGE Code: 0WEC9

P/N: MB1268A-01 Unit Price: [REDACTED]

Estimated Value (include option): [REDACTED] The required delivery date is: 06/30/2017

Ship To: UIC: N48535; NAVAL AIR INTERIM CONTRACTOR SUPPLY; SUPPORT FACILITY BLDG 612 BAY 12; MCAS BEAUFORT; P O BOX 55002; BEAUFORT SC 29904-5002

Line of Accounting
17 00 16 18 1506 U6JC 260 00019 0 050120 2D 000000 A00003335132

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. Acquire, for the second or subsequent time, directly from the actual manufacturer.

AMSC H. The Government physically does not have in its possession sufficient, accurate, or legible data to purchase this part from other than the current source(s). This code is applicable only to parts under immediate buy requirements and only for as long thereafter as the deficiency is under review for resolution and appropriate recoding. This code is only assigned at the conclusion of limited screening, and it remains assigned until the full screening process resolves physical data questions and results in assignment of a different AMSC. If one source is available, AMCs 3, 4, or 5 are valid. If at least two sources exist, AMCs 1 or 2 are valid.

This acquisition will be negotiated with: EFW INC (0WEC9) - ELBIT

Only EFW INC. (0WEC9) ELBIT will be solicited because only EFW INC. (0WEC9) ELBIT owns sufficient technical data. Technical data is comprised of two parts, the data itself and the rights to such data. Government rights would allow the Government to distribute technical data to potential new suppliers of subject item. Technical data contain information regarding inspection and review of manufacturing techniques, special skills, qualifications, and knowledge required to complete the manufacturing procedures. As a result additional sources are either unable or uninterested in manufacturing subject item. Additional sources are required to submit a complete SAR package to qualify them as a new source.

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.

3/28/2016

and as a result:

No other sources have expressed an 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:

NAVSUP Weapon Systems Support (WSS) Code 03 has ~~not~~ conducted a market research per the market research document. The AMC/AMSC is "3H" Suitable technical data, Government data rights, or manufacturing knowledge are not available to permit acquisition from other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Data rights are not in Government possession. Currently the only approved sources of supply are EFW INC. (0WEC9) ELBIT. No other sources have expressed an interest in manufacturing the subject item to the Source Development Department. To promote competition the NAVSUP (WSS) will continue to encourage manufactures 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. Also future requirements will be advertised in the FedBizOpps website (www.fedbizopps.gov) in order to encourage potential suppliers to submit Source Approval Requests.

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) & (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)

9. REFERENCE TO THE APPROVED ACQUISITION PLAN:

An informal / formal acquisition plan is / is not required for this acquisition.

Folder Number: 16068-0044

Requisition/PD# N0038316X1937

**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] John P Goss [Redacted] May 19, 2016
Name Phone Date

[Redacted] Mathew Fahner [Redacted] May 19, 2016
Name Phone Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[Redacted] John Sweeney [Redacted] 6 June 2016
Name Date

CONTRACTING OFFICER CERTIFICATION

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

Richard Ferraido Richard Ferraidlo [Redacted] 6/7/2016
Signature Name Date

LEGAL SUFFICIENCY REVIEW

I have [Redacted] Sharif T. Dawson, Esq.
Associate Counsel
DLA C [Redacted] 6/13/16
Name Phone Date

APPROVAL REQUIRED BY FAR 6.304

[Redacted] [Redacted] [Redacted] [Redacted]
Signature Name Phone Date

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