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: 16076-0008

Requisition/PD# N0038316X2001

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
Dylan Kendra Buyer's Name	[redacted] Extension	APAB.20 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: Advanced Magnetic Transmitter Unit (AMTU) Quantity: [redacted]

NSN: 0R 1680-01-609-9416 CAGE Code: 0WEC9

P/N: MB484D-00 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: 3 Y ☐ 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 Y. The design of this part is unstable. Engineering, manufacturing, or performance characteristics indicate that the required design objectives have not been achieved. Major changes are contemplated because the part has a low process yield or has demonstrated marginal performance during tests or service use. These changes will render the present part obsolete and unusable in its present configuration. Limited acquisition from the present source is anticipated pending configuration changes.

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

Only EFW INC- ELBIT (0WEC9) will be solicited because the item that is to be manufactured under this acquisition is for Interim Supply Support (ISS) of the Organic Airborne Mine Countermeasures (OAMCM). NAVSUP Weapon Systems Support, Source Development Department has a breakout program designed to convert as many acquisitions as possible to full and open competition. However, the items that are to be procured under this acquisition are for Interim Supply Support (ISS) of the (OAMCM) ISS items are considered design unstable as no formal configuration baseline has been established. Since the Material Support Date (MSD) is scheduled for 19244 day (01 September 2019), re-procurement technical data has not yet been developed, and will not be available in time to support Initial Operating Capability (IOC). It is anticipated that technical data will be provided to the Navy at a later date, at which time the technical data will be evaluated to determine if it is suitable for competition, as well as evaluating the feasibility of any other alternatives for achieving and/or enhancing, competition.

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 FedBizOpps website for government-wide point of entry on

3/28/2016

and as a result:

No other sources have expresses 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 did not conduct a market research because the design is unstable. The AMC/AMSC is "3Y" 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 and cannot be obtained as the design of subject item is unstable. Currently the only approved sources of supply are EFW INC- ELBIT (0WEC9). No other sources have are authorized to manufacturing subject item as this item is unstable meaning that the design is subject to change and cannot be disseminated for mass production to multiple companies. In Addition no companies have expressed an interest in producing this item to the source development department.

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.

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]	John P Goss	[redacted]	Jul 5, 2016
	Name	Phone	Date

Requirements Cognizance:

[redacted]	Tamia Heacock	[redacted]	Jul 5, 2016
Signature	Name	Phone	Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[redacted]	M. SHORTALL	[redacted]	7/7/16
Signature	Name	Phone	Date

CONTRACTING OFFICER CERTIFICATION

[redacted]	Richard Ferraiolo	[redacted]	7/7/16
	Name		Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

	Sharif T. Dawson, Esq. Associate Counsel DLA [redacted]	[redacted]	7/11/16
Signature	Name	Phone	Date

APPROVAL REQUIRED BY FAR 6.304

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