

Folder Number: 15156-0015

Requisition/PD# N0038315X3637

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: OWEC9 - EFW INC. (ELBIT)

Only EFW INC. (ELBIT) (OWEC9) 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 Source Sought Notice on the FedBizOpps website for government-wide point of entry on

23 APR 16

and as a result:

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:

NAVSUP Weapon Systems Support (WSS) Code 03 has conducted a market research per the market research document. 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 (ELBIT) (OWEC9). 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 Signature] [Redacted Name] [Redacted Phone] [Redacted Date: 6-23-15]

Requirements Cognizance:

[Redacted Signature] [Redacted Name] [Redacted Phone] [Redacted Date: 6-23-15]

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[Handwritten Signature: A. Solomon] A. Solomon: Procurement Analyst
Code: N21.20 Phone [Redacted] [Redacted Date: JUN 24 2015]

CONTRACTING OFFICER CERTIFICATION

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

[Redacted Signature] [Redacted Name: D. M. HENDERSON] [Redacted Phone] [Redacted Date: 7/13/2015]
CONTRACTING OFFICER

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

[Redacted Signature] Sharif T. Dawson, Esq.
Associate Counsel
DLA Counsel Aviation
[Redacted Name] [Redacted Phone] [Redacted Date: 7/14/15]

APPROVAL REQUIRED BY FAR 6.304

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

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