In/out
5/5
Thales
Raytheon

DEFENSE LOGISTICS AGENCY
AVIATION
700 ROBBINS AVENUE, BUILDING 1, ROOM 2211
PHILADELPHIA, PENNSYLVANIA 19111-5098

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0038313X6676 **FOLDER NUMBER:** 13270-0034

Any revision to the pre-printed portion of this document must be individually reviewed and approved by the DLA Office of Counsel.

[redacted]	[redacted]	0320.15
(Item Manager's Name) *Please Print*	(Extension)	(Code)
[redacted]	[redacted]	0320.T5
(Technician's Name) *Please Print*	(Extension)	(Code)
[redacted]	[redacted]	APAB
(Buyer's Name) *Please Print*	(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	TRANSDUCER,MOTIONAL	Quantity	10
NSN	6695 145757265	CAGE Code	F8294
P/N	47208452AC	Unit Price	$[redacted]

Estimated Value (include option) $[redacted]

Appropriation, Subhead and Cost Code: 97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPY00000000

The required delivery date is: 11/14

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 a limited number of sources, as implemented by FAR 6.302-1.

Source Selection Information
FAR 2.101

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5. **RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY**:

The current Acquisition Method Code/Acquisition Method Suffix Code (AMC/AMSC) is: 1H
AMC 1. Suitable for competitive acquisition for the second or subsequent time.
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). The deficiency is under review for resolution.

This acquisition will be negotiated with: THALES DEFENSE & SECURITY INC (23386) and RAYTHEON COMPANY (94404)

Only THALES DEFENSE & SECURITY INC (23386) and RAYTHEON COMPANY (94404) will be solicited because NAVSUP does not own rights to drawings and/or cannot economically obtain them to facilitate competition at this time. Both companies will build IAW THALES UNDERWATER SYSTEMS S A S (F8294) as they own all rights to drawings. At this time THALES UNDERWATER SYSTEMS S A S (F8294) chooses not to be solicited and have delegated the opportunity to the above listed sources. Rights to technical data would enable the Government to distribute data to potential new suppliers of subject item. Drawings 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 OFFERERS AS PRACTICABLE**:

The proposed contract was synopsized in the FedBizOpps website for government wide point of entry on 1/28/14. The following sources have expressed an interest in the acquisition: None

Market research was conducted in accordance with FAR Part 10. The results of the market research conducted are as follows: NAVSUP Weapon Systems Support (WSS) Code 03 has conducted a market research per the market research document. The AMC/AMSC is "1H" 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 THALES DEFENSE & SECURITY INC (23386) and RAYTHEON COMPANY (94404). 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**:

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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] [redacted] 21APR14

Signature | Name (Printed) | Phone No. | Date

Requirements Cognizance:

[redacted] [redacted] 4-21-14

Signature | Name (Printed) | Phone No. | Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[redacted] [redacted] Procurement Analyst
Code: 071.20 Phone: [redacted] APR 23 2014

Signature | Name (Printed) | Phone No. | Date

CONTRACTING OFFICER CERTIFICATION

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

[redacted] John Grenley Code APPD [redacted] 4/30/14

Signature | Name (Printed) | Phone No. | Date

REVIEWED BY COUNSEL FOR LEGAL SUFFICIENCY: (Over $650k)

I have determined this Justification is legally sufficient.

[redacted] Shant T. Dawson, Esq.
Associate Counsel
DLA Counsel Aviation
Phone (215) 697-5020 5/5/14

Signature | Name (Printed) | Phone No. | Date

APPROVAL REQUIRED BY FAR 6.304

MICHAEL MASSELLO Competition Advocate 5/5/14

Signature | Name (Printed) | Phone No. | Date

Approval Levels:

Contracting Officer:	$150,000 up to $650,000
Competition Advocate:	Over $650,000 up to $12,500,000
HCA:	Over $12,500,000 up to $85,500,000
DLA SPE:	Over $85,500,000

Source Selection Information
FAR 2.101 and 3.104