



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:

Requisition/PD#

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

<input type="text" value="Craig Aimone"/> Item Manager's Name	<input type="text"/>	<input type="text" value="N98112.32"/> Code
<input type="text" value="Eric Ahlquist"/> Technician's Name	<input type="text"/>	<input type="text" value="N98113.14"/> Code
<input type="text" value="Suzanne Brown"/> Buyer's Name	<input type="text"/>	<input type="text" value="APBA.02"/> 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: <input type="text" value="Various see attachment 'A'"/>	Quantity: <input type="text" value="Various"/>
NSN: <input type="text" value="Various see attachment 'A'"/>	CAGE Code: <input type="text" value="96214"/>
P/N: <input type="text" value="Various see attachment 'A'"/>	Unit Price: \$ <input type="text" value="Various"/>
Estimated Value (include option): <input type="text"/>	The required delivery date is: <input type="text" value="05/2016"/>

Line of Accounting

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:

Folder Number: 14313-0013

Requisition/PD# N0038315X0262, N0038315X0266, N0038315X0270, N0038315X0271, PATY5443010162

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.

AMSC D. The data needed to acquire this part competitively is not physically available, it cannot be obtained economically, nor is it possible to draft adequate specifications or any other adequate, economical description of the material for a competitive solicitation.

This acquisition will be negotiated with: RAYTHEON COMPANY (96214)

All sources must be approved by the design control activity. NAVAIR is the design control activity. RAYTHEON COMPANY (96214) has shown the ability to supply this Item for NAVSUP WSS. There is an unusual and compelling urgency to negotiate and award to RAYTHEON COMPANY (96214), as they are the only source(s) capable of meeting the urgent delivery schedule. ATFLIR provides the capability to detect, classify, track, and designate both air-to-air and air-to-ground targets. These items are critical components of ATFLIR. ATFLIR is used on 10 carriers, 2 of which are currently deployed. Squadrons deploy with 8 ATFLIR Pods per squadron; ATFLIR is also used by the Marines, NAS Lemoore, and NAS Oceana. This procurement is required to preclude off-ship requisitions. Deployed aircraft are not authorized to drop ordinance without ATFLIR. RAYTHEON COMPANY (96214) owns the test equipment and the technical data.

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

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

12/8/2014

The following sources have expressed an interest in this acquisition: Raytheon (96214)

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 competitive procurement of the items listed in Attachment "A" by sources other than RAYTHEON COMPANY (96214) is not currently available. The Source Development Department will send a letter to RAYTHEON COMPANY (96214) 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 performed a criticality study on these items and has deemed part numbers 6464315-001, 6399127-102 and 6464309-1 to be Critical Application Items (CAI) while part number 6464387 has been deemed Not Critical (NC). Source Development Department files indicate no SAR has been received from any company interested in becoming a source of supply for these items and that Raytheon (96214) is the only approved source of supply at this time. RT

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. RT

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] Eric Ahlquist [Redacted Phone] May 26, 2015
Name Phone Date

Requirements Cognizance:

[Redacted Signature] Craig Aimone [Redacted Phone] 26 May 2015
Name Phone Date

CONCURRENCE

[Redacted Signature] Solomon: Procurement [Redacted Phone] MAY 27 2015
Signature Name Phone Date

CONTRACTING OFFICER CERTIFICATION

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

[Signature] Suzanne Brown [Redacted Phone] 27 MAY 2015
Signature Name Phone Date

LEGAL SUFFICIENCY REVIEW

[Redacted Signature] Sharif T. Dawson, Esq. [Redacted Phone] 5/28/15
Signature Name DLA Associate Counsel Phone Date

APPROVAL REQUIRED BY FAR 6.304

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