



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

*In/put
7/15
Bell*

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

REQUISITION NUMBER/PD: N0038314X1920 **FOLDER NUMBER:** 14087-0034

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

<u>[REDACTED]</u> (Item Manager's Name) <i>Please Print</i>	<u>[REDACTED]</u> (Extension)	<u>[REDACTED]</u> (Code)
<u>[REDACTED]</u> (Technician's Name) <i>Please Print</i>	<u>[REDACTED]</u> (Extension)	<u>[REDACTED]</u> (Code)
<u>[REDACTED]</u> (Buyer's Name) <i>Please Print</i>	<u>[REDACTED]</u> (Extension)	<u>[REDACTED]</u> (Code)

- CONTRACTING ACTIVITY:** DLA Aviation Strategic Acquisition at Philadelphia, PA.
- DESCRIPTION OF THE ACTION BEING APPROVED:** Negotiation and award of a contract through other than full and open competition.
- DESCRIPTION OF SUPPLIES/SERVICES:** This J&A covers the acquisition of the following article(s):

Nomen	<u>Gearbox Assembly</u>	Quantity	<u>18</u>
NSN	<u>1680-01-554-4255 YR</u>	CAGE Code	<u>97499</u>
P/N	<u>449-040-011-103</u>	Unit Price	<u>[REDACTED]</u>

Estimated Value (include option) [REDACTED]

Appropriation, Subhead and Cost Code: 97 00 XX XX 4930 NC1A 000 85004 0 050120
7R 000000 7PPV00000000

The required delivery date is: November 2014

- 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.

5. RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:

The current Acquisition Method Code/Acquisition Method Suffix Code (AMC/AMSC) is: 3C

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.

This acquisition will be negotiated with Bell Helicopter (97499). Available technical data has not been found adequate to support competitive acquisition at this time. The subject item is considered critical to safety of flight. Therefore, additional sources must obtain engineering source approval prior to contract award. For this reason NAVSUP WSS is presently unable to fully compete the subject item. *Bell owns the data.*

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

The proposed contract was synopsisized in the FedBizOpps website for government wide point of entry on 05/27/14. 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: The NAVSUP Weapon Systems Support (WSS) Source Development Department (SDD) has conducted a market research per the market research document. The subject Gearbox Assembly is a Critical Safety Item (CSI) and all alternate sources must qualify IAW the design control activity's procedures, as approved by NAVAIR prior to contract award. Available data including all publications, associated drawings and specifications required to manufacture and maintain the quality of the subject item are not available to the government to purchase from other than the current approved source of supply Bell Helicopter (97499). The government does not possess the manufacturing data necessary to support full and open competition. No other sources have currently expressed an interest in becoming an approved manufacturing source for the subject item to the Source Development Department. To promote competition the NAVSUP WSS will continue to encourage manufacturers 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 per the (WSS) guidelines. Also future requirements will be advertised in the FedBizOpps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval Requests. *[Signature]*

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 subject item covered by this document. If another potential manufacturing 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.

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.

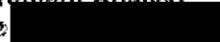
Technical Cognizance:

 5-15-14
Signature Name (Printed) Phone No. Date

Requirements Cognizance:

 5/15/2014
Signature Name (Printed) Phone No. Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

 MAY 15 2014
Signature Name (Printed) Phone No. Date
A. Solomon: Procurement Analyst
Code: 071.20 Phone 

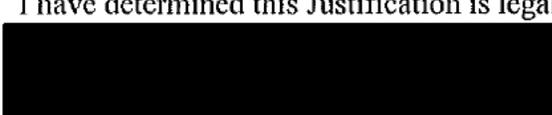
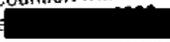
CONTRACTING OFFICER CERTIFICATION

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

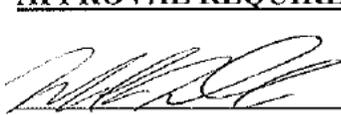
 Steven Pizzo  7/15/14
Signature Name (Printed) Phone No. Date

REVIEWED BY COUNSEL FOR LEGAL SUFFICIENCY: (Over \$150k)

I have determined this Justification is legally sufficient.

 Shaw T. Dawson, Esq. 7/15/14
Signature Name (Printed) Phone No. Date
Associate Counsel
DLA Counsel Aviation
Phone 

APPROVAL REQUIRED BY FAR 6.304

 Michael Massello  7/15/14
Signature Name (Printed) Phone No. Date
Competition Advocate

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