



**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="Maureen DeLorenzo"/>	<input type="text" value="4788"/>	<input type="text" value="0317.16"/>
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Item Manager's Name

Extension

Code

<input type="text" value="Tom Nolan"/>	<input type="text" value="4971"/>	<input type="text" value="0317.55"/>
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Technician's Name

Extension

Code

<input type="text" value="John McCarry"/>	<input type="text" value="2803"/>	<input type="text" value="APAP.02"/>
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Buyer's Name

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: <input type="text" value="See Attachment A."/>	Quantity: <input type="text" value="See Attachment A."/>
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NSN: <input type="text" value="See Attachment A."/>	CAGE Code: <input type="text" value="(6U346)"/>
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P/N: <input type="text" value="See Attachment A."/>	Unit Price: \$ <input type="text" value="See Attachment A."/>
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Estimated Value (include option): \$

The required delivery date is:

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:

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AMC 3. Acquire, for the second or subsequent time, directly from the actual manufacturer.

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: (13499) Rockwell Collins Inc.

This aircraft is currently in the interim phase of the life cycle process and as such it is imperative that the government deal with one contractor, the OEM, for manufacture of these items. The government physically does not have in its possession sufficient engineering and technical data to contract spares with other than the OEM. As the P-8 aircraft is currently in the interim support phase of the life cycle process and pre-physical configuration audit (PCA), the aircraft mission systems are experiencing constant anomalies and variance within the configuration. The government does not have empirical engineering data available that would allow for realistic competitive sustainment efforts at this time. These components are continually being altered and evaluated. As the program develops and passes the various milestones of the interim support phase, logistical and technical requirements are varying in such a way that it is essential and in the Navy's best interest to deal only with the OEM at this time.

One of the critical functions of the interim support phase is designed to determine a baseline configuration, which impacts maintenance requirements and logistical support. The interim phase of the life cycle is comprised of the Initial Operation Test and Evaluation (IOT&E) portion, and the initial fielding portion. During the IOT&E portion the Navy's test and evaluation squadron has been evaluating these components with Rockwell field service representatives and Navy engineering technical support gathering data required for maintenance and logistical planning. The aircraft is now in the initial fielding portion of interim support. During initial fielding, the Navy's fleet replacement and training squadron is performing organic squadron level maintenance under the cognizance of Rockwell field service representatives and Navy engineering technical support, training naval maintenance personnel for P-8 future support of fielded aircraft. NAVAIR is responsible for the configuration of the aircraft.

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:

5-14-14

The following sources have expressed an interest in this acquisition: 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:

Market research was not conducted in accordance with FAR Part 10 as this item is part of the P-8 Aircraft Program which is currently in the Interim Phase of Life Cycle Support. This is further delineated in paragraph 5 and 8.

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:

As stated in paragraph 5, one of the purposes of the interim support period of a new weapon system or platform is to capture record and procure the data required to establish the metrics for logistical sustainment. As the P-8 and her systems progress through interim support and enter Material Support, 01 October 2015, this data will become more stable. Once the baseline configuration has been approved and established by NAVAIR, NAVSUP WSS will determine if the data is available and if so will aggressively pursue a commercially competitive posture for future procurements of this item. NAVAIR has not yet established whether the data rights required to allow for commercial competition will be procured from Rockwell Collins Inc. . Therefore we cannot commit, at this time, to a post MSD commercial competitive posture under this agreement.

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:

	Tom Nolan	4971	Nov 13, 2014
Signature	Name	Phone	Date

Requirements Cognizance:

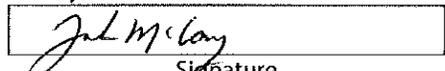
	Jeannine Fay	2665	Nov 13, 2014
Signature	Name	Phone	Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

	Solomon, Procurement Analyst No: 077,23 Phone: 214-267-2020		NOV 19 2014
Signature	Name	Phone	Date

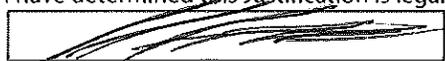
CONTRACTING OFFICER CERTIFICATION

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

	John McCarry	2803	11/25/14
Signature	Name	Phone	Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

	Sharrif T. Dawson, Esq. Associate Counsel DLA Counsel Aviation Phone (214) 697-8020		12/1/14
Signature	Name	Phone	Date

APPROVAL REQUIRED BY FAR 6.304

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

EXHIBIT 'A' (Q&A VERSION)

Thursday 13 November 2014

RV/PR:

LEAD PD/PR #: N0038314X2014

FOLDER # 14102-0006

SOLICITATION # SPRPA1-14-R-V269

ITEM NUMBER	NOMENCLATURE/ LRC/REPLACEMENT PRICE	COG/MCC/NIIN/SMIC PART NUMBER	TOTAL REQUIREMENT	ESTIMATED PRICE	ESTIMATED EXTENDED DOLLAR VALUE	PD/PR#
0001	OVERHEAD PROJECTOR \$156,975.00	ORH 6610-01-552-2124 1500-2360-001	3	\$156,975.00	\$470,925.00	N0038314X2014
0002	COMBINER AIRCRAFT.M \$74,984.00	ORH 1680-01-585-4893 1500-2310-002	1	\$74,984.00	\$74,984.00	N0038314X2023
TOTAL				\$231,962.00	\$545,909.00	