



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

*In/Out
5/13
E/Dec*

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Folder Number: 15056-0016

Requisition/PD# N0038315X2246

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

John Kotlyar Item Manager's Name	[REDACTED] Extension	N98111.36 Code
Steven Hardman Technician's Name	[REDACTED] Extension	N98113.13 Code
Stephen J. Girnius Buyer's Name	[REDACTED] Extension	APBA.03 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:	Landing Gear Control Unit	Quantity:	[REDACTED]
NSN:	015725983	CAGE Code:	08748
P/N:	8-347-06	Unit Price:	[REDACTED]
Estimated Value (include option	[REDACTED]	The required delivery date is:	04/2016

Line of Accounting
97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPA00000000

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: 15056-0016

Requisition/PD# N0038315X2246

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: Eldec Corporation. (08748)

Only the above will be solicited because the articles to be acquired are highly specialized parts, designed and manufactured by a non-Government activity and the technical data required for manufacture by other than the above is not available. Available data including all publications, associated drawings and specifications, as well as supporting test equipment availability required to manufacture the subject item are not available to purchase from other than the current approved source of supply, Eldec Inc. (08748) No other sources have currently expressed an interest in becoming an approved manufacturing source for the subject item to the Source Development Department.

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:

3/28/13

The following sources have expressed an interest in this acquisition: NONE AS OF 5/13/13

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 NAVSUP Weapon Systems Support (WSS) Source Development Department (SDD) has conducted a market research per the market research document. The subject Landing Gear Control Unit is a Critical Application Item (CAI) 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, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item are not available to purchase from other than the current approved source of supply ELDEC Corporation (08748). Also the data for the subject item contains restrictive legend and the data is proprietary to ELDEC Corporation (08748) and they will not release any or all the data to the Navy. Data review discloses that required data or data rights are not in Government possession and cannot be economically obtained. Without the technical data it is not possible for any other source to manufacture the subject item. No other company has access to the technical data that would enable them to manufacture the subject item. The government does not possess the manufacturing data necessary to support full and open competition. 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 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.

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 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.

Folder Number: 15056-0016

Requisition/PD# N0038315X2246

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] Steven W Hardman [Redacted Signature] 05/06/15
Name Date

Requirements Cognizance:

[Redacted Signature] KONSTANTIN KOTLYAR [Redacted Signature] 05/06/2015
Name Date

CONCURRENCE

[Redacted Signature] A. Solomon: Procurement Analyst [Redacted Signature] MAY 08 2015
Code: N21.20 Phone: 215- [Redacted] Name Phone Date

CONTRACTING OFFICER CERTIFICATION

[Redacted Signature] complete to the best of my knowledge and belief.
Brian Farrington [Redacted Signature] 5/13/2015
Contracting Officer APBA Phone Date
(215)6 [Redacted]

LEGAL SUFFICIENCY REVIEW

[Redacted Signature] sufficient
Sharif T. Dawson, Esq. [Redacted Signature] 5/13/15
Associate Counsel Phone Date
DLA Counsel Aviation
Name: [Redacted]

APPROVAL REQUIRED BY FAR 6.304

[Signature] Michael Massello [Redacted Signature] 5/13/15
Signature Name Competition Advocate 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