



**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="Charles Kochanski"/> Item Manager's Name	<input type="text" value="[REDACTED]"/> Extension	<input type="text" value="N98221.15"/> Code
<input type="text" value="Oscar Drew"/> Technician's Name	<input type="text" value="[REDACTED]"/> Extension	<input type="text" value="N98225.2"/> Code
<input type="text" value="Rebecca Weiss"/> Buyer's Name	<input type="text" value="[REDACTED]"/> Extension	<input type="text" value="APBB.07"/> 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="WEIGHTS LOAD TEST,A"/>	Quantity:	<input type="text" value="[REDACTED]"/>
NSN:	<input type="text" value="6RD 4920 015820015 SX"/>	CAGE Code:	<input type="text" value="26697"/>
P/N:	<input type="text" value="MPM-1001"/>	Unit Price:	<input type="text" value="[REDACTED]"/>
Estimated Value (include option)	<input type="text" value="[REDACTED]"/>	The required delivery date is:	<input type="text" value="12/31/2015"/>
Line of Accounting	<input type="text" value="17 00 14 16 1506 47C2 310 00019 0 050120 2D 000000 A00002531435"/>		

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: 14268-0038

Requisition/PD# N0038314X3649

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

AMSC P. The rights to use the data needed to purchase this part from additional source(s) are not owned by the Government and cannot be purchased, developed, or otherwise obtained. It is uneconomical to reverse engineer this part.

This acquisition will be negotiated with: (26697) MANITEX LOAD KING INC

Because they are the (OEM) original equipment manufacturer of the Weights Load Test and no other company has access to the proprietary data that would enable them to manufacture this support equipment nor will MANITEX LOAD KING INC. provide this proprietary intellectual property information. The Load Test Weights is not a commercial-off-the-shelf piece of support equipment, and there are no other brand name items or equivalent available. MANITEX Load King, Inc, is the original equipment designer & manufacturer for this peculiar support equipment, and is the only supplier capable of manufacturing the Load Test Weights. The drawings, specifications, and technical data for the Load Test Weights are proprietary to MANITEX Load King, Inc. The government does not and will not own the required data for the Load Test Weights.

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

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

11/03/2014

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:

The NAVSUP Weapon Systems Support (WSS) Source Development Department (SDD) has conducted a market research per the market research document. The subject Weights Load Test is not a critical item but still requires that all alternate sources must qualify IAW the design control activity's procedures, as approved by NAVAIR. Per the engineering source approval authority NAVAIR Lakehurst, the data for the subject item contains restrictive legend and the data is proprietary to Manitex Load King Inc. (26697) 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. At this time no other facilities have the expertise, facilities or the test equipment necessary to manufacture the subject item other than Manitex Load King Inc. (26697). 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 paragraphs (5) and (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 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

[Redacted Signature]

Oscar Drew [Redacted Phone] Sep 30, 2014
Name Phone Date

[Redacted Signature]

Charles Kochanski [Redacted Phone] Sep 30, 2014
Name Phone Date

[Redacted Signature]

CURRENT
[Redacted Signature] Solomon: Procurement Analyst
e: 071.29 Phone: 215-297-3272 [Redacted Phone] OCT 28 2014
Name Phone Date

CONTRACTING OFFICER CERTIFICATION

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

[Signature] Michelle KRASS [Redacted Phone] 11/4/14
Signature Name Phone Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

[Signature] Sharif T. Dawson, Esq.
Associate Counsel
DLA [Redacted Phone] 11/16/14
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

J&A MARKET RESEARCH

Date: 10/20/2014

Requisition/PD#(s): N00383-14X-3649

NSN/P/N(s): 4920-01-582-0015

(AMC/AMSC) or (RMC/RMSC): 3P LSR (Limited Screen Review)

Code/Ext:

DCA Cage Code: 26697

[PHL] FSR (Full Screen Review > \$650k) Code/Ext: N233.5

CONFIGURATION VALIDATION RESOURCES / DATA INTEGRITY

MECHANICSBURG (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> ITIMP - Integrated Technical Item Management & Procurement | <input type="checkbox"/> EB Single Parts Master |
| <input type="checkbox"/> E-LAR - Electronic Liaison Action Records | <input type="checkbox"/> TDP Tool |
| <input type="checkbox"/> CITIS - Contractor Integrated Technical Information System | <input type="checkbox"/> IRPOD |
| <input type="checkbox"/> ATIS - Advanced Technical Information System | <input type="checkbox"/> BPMI - Atomic Power |
| <input type="checkbox"/> Dry Deck Shelter/Oil Web-Site | <input type="checkbox"/> ISEA - In-Service Engineering Activity |
| <input type="checkbox"/> NSEDR - Naval Ships Engineering Drawing Repository | <input type="checkbox"/> LARs |
| <input type="checkbox"/> EIS - Engineering Information System | <input type="checkbox"/> CDAs |
| <input type="checkbox"/> CDMD-OA - Configuration Data Managers Database - Open Architecture | |

PHILADELPHIA (Check all that apply)

- | | |
|---|--|
| <input checked="" type="checkbox"/> ITIMP - Integrated Technical Item Management & Procurement | <input checked="" type="checkbox"/> ERP / ORACLE / FMT |
| <input checked="" type="checkbox"/> IPB - Illustrated Parts Breakdown | <input checked="" type="checkbox"/> FLIS - Federal Logistics Information System |
| <input checked="" type="checkbox"/> JEDMICS - Joint Engineering Data Management Info & Control System | <input checked="" type="checkbox"/> SERD - Support Equipment Recommendation Data |

DATA INTEGRITY (Reference)

AMC/AMSC - Acquisition Method (Suffix) Code	AAC - Acquisition Advise Code	Criticality Coding (CSI/CAI)
RMC/RMSC - Repair Method (Suffix) Code	NSN (National Stock Number)	Past Contracts
DCA (Design Control Activity) Cage Code	Units per application (if other than OEM)	Nomenclature
PR (Procurement Requisition) Dollar Value	Recorded Approved Sources of Supply	Reference Part Number
Applicable TMS Weapon System/Usable-On-Code	Historical Sources of Supply	SM&R Code

[MECH] Competition Advocate Data Integrity:

Initials

[MECH] Submitter Data Integrity:

Initials

SOURCE VALIDATION RESOURCES (Check all that apply)

- EBS - Enterprise Business System (Secure System)
- PDREP - Product Deficiency Reporting and Evaluation Program
- JDRS - Joint Deficiency Reporting System (CSI - Critical Safety Item / CAI - Critical Application Item)
- Drawing Interpretation - Availability, Criticality (Safety, Application, Dimensional, etc.), VSE (Vendor Substantiation Engineering Required), Latest Revision Level, Proprietary Legends, Source/Specification Controlled
- [PHL] USP Database (Unsolicited Source Proposal) I:DATA:073:adeleusp
- [PHL] Repair Manuals Review / Validation

MARKET RESEARCH EVALUATION

**** REMARKS REQUIRED for "YES" Responses (unless marked optional) ****

1. Configuration Validated

Configuration: P/N MPM-1001

2. Manufacturing/Repair Source(s) Records have been aligned and validated YES

Remarks: Currently the only approved manufacturing source is Manitex Load King Inc. (26697).

3. Drawing Data Interpretation

a) Drawing Data Availability NO - Not Able to View Drawing Data - proceed to item 4

Location/Remarks:

b) Specification / Source Controlled Drawing

Remarks:

c) DCA Drawing Contains a Restrictive Legend

Remarks:

d) (MECH) Distribution Statement

Remarks:

4. Criticality Determination

Validated, Identified, and Properly Documented

[PHL] Other/Combination - See Remarks

Remarks (optional): Subject item is non-critical but still requires that all alternate sources must qualify IAW the NAVAIR Lakehurst procedures

5. [PHL] Technical Data (Spares/Repairs)

Incomplete - Have Source Development send a request (if feasible) to the OEM for a budgetary cost estimate and lead time for providing a complete level III Technical Data Package, set of repair manuals, and/or Technical Data/Specifications with the U.S. Government rights for use of data for competitive procurement purposes.

Complete - Procure from the current approved source(s) of supply
* A completed SAR is required to qualify all new sources *

Remarks (optional): A complete technical data package is not available.

6. USP Determination [PHL] NO - No existing SARs currently in process from any Potential Sources

Remarks:

Additional Remarks:

Signature: [Redacted]

Date: 10/20/2014

Requisition/PD#: N00383-14X-3649

J&A CHECKLIST

- Is the dollar value over \$150k? (J&As are not needed if the dollar value is below \$150K)
- Is the J&A in the correct format/type and coordinated with the buyer? (if no buyer's code, use buyer's section)
- N/A* Does the J&A have the correct attachments? (Attachment A, Item Sheet, Market Research)
- N/A* J&As with multiple items need "Various – See Attached" in Paragraph 3 along with an Item Sheet/Exhibit A
- Is the Accounting Line filled in correctly?
- Is the Market Research form filled in correctly?
- N/A* Is the dollar value over \$650K? Needs Full Screen Review from Source Development
- N/A* Is the Core determination letter provided to Source Development? (if required for repair)
- Does the AMC/AMSC or RMC/RMSC match the sources listed in ITIMP and on J&A?
- Is the correct contracting agency being used? (NAVY or DLA)
- Put all PIINs used for requirement on J&A
- Is the correct dollar value and proper cage code listed in paragraph 3?
- N/A* If it's an exigency J&A, are the sources excluded with proper justification?
- Are the sources listed correctly in Paragraph 5?
- N/A* Is the urgent quantity on exigency J&A justified and paragraph 5 filled out correctly?
- N/A* If the requirement is for containers, did you send it to Code 0771 for technical certification?
- N/A* \$1.00 PRs need the total amount on the J&A (not \$1.00)
- Are all paragraphs completed IAW Guide?
- Does the J&A have the appropriate signatures?