

Folder Number: 14309-0009

Requisition/PD# N0038315X0240

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

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: OLYMPUS NDT NE INC (29192)

Because they are the (OEM) original equipment manufacturer of the SONIC EMI INSTRUMEN and no other company has access to the exclusive legal data that would enable them to manufacture this piece of support equipment nor will OLYMPUS NDT NE INC provide this exclusive legal information. This is a Critical Application Item (CAI) and the approval process involves inspection and review of manufacturing techniques, special skills, qualifications and knowledge required to complete this complex procedure for this P/N: 9744947. The cognizant Government engineering activity NAVAIR LKE is responsible for this process. NAVAIR LKE currently has OLYMPUS NDT NE INC (29192) as the only approved source of supply for this item, which also owns 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:

11/29/15

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 Weapons Systems Support WSS has conducted a market research per market research document. The data necessary to facilitate competitive procurement of this SONIC EMI INSTRUMEN by sources other than OLYMPUS NDT NE INC is proprietary. The subject item is a Critical Application Item (CAI), all alternate source(s) must qualify IAW the design control activity's procedures as approved by NAVAIR LKE prior to contract award. Available data including all publications, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item has not been found adequate to support full and open competition. No other commercial manufacturing facilities at this time have the expertise, facilities and test equipment necessary to manufacture the subject item except OLYMPUS NDT NE INC.

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.

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] [Redacted Name] [Redacted Phone] [Nov 19, 2014]
Signature Name Phone Date

Requirements Cognizance:

[Redacted Signature] [Redacted Name] [Redacted Phone] [Nov 19, 2014]
Signature Name Phone Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[Signature: R. Solomon] [Redacted Name] [Redacted Phone] [DEC 0 1 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.

[Redacted Signature] [MARIE LISOWSKI] [Redacted Phone] [3/30/15]
Signature Name Phone Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

[Redacted Signature] [Sharif T. Dawson, Esq. Associate Counsel DLA] [Redacted Phone] [4/1/15]
Signature Name 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