In/out 2/3 Herley

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: MANUAL

Requisition/PD# N00383-15-RCP-Z028

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

JOHN TANTOCO Item Manager's Name	[redacted] nsion	N9832.03 Code
ALLEN CHAFFIN Technician's Name	[redacted] nsion	N98232.54 Code
~~THOMAS KENDRA~~ Rebecca Weis Buyer's Name	[redacted] nsion	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:	PULSE DECODER/RADIO RECEIVER	Quantity:	[redacted] EA item
NSN:	7RE 5895-01-167-7484/7RE 5895-01-091-2434	CAGE Code:	24469
P/N:	01A223000A-23-11/01A223024A21-12	Unit Price:	[redacted]

Estimated Value (include option): [redacted] The required delivery date is: MAR 2016

Line of Accounting

1751506.Y1A1 310 00019 0 050120 000000

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: 3 H

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RMC 3. Repair, for the second or subsequent time, directly from the actual manufacturer.

RMSC H. The Government physically does not have in its possession sufficient, accurate, or legible data to contract repair with other than the current source(s). The deficiency is under review for resolution.

This acquisition will be negotiated with: HERLEY INDUSTRIES INC (24469)

HERLEY INDUSTRIES INC (24469) is the OEM that holds all technical data rights to these drawings. The approved source retains all data rights of manufacturing knowledge or technical data that are not economically available to the Government. 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 NAVAIR as the Cognizant Government engineering activi

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:

01/23/2015

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 data necessary to facilitate competitive procurement of these two items, by sources other than Herley Industries (24469), is not currently available. The Source Development Department will send a letter to Herley Industries (24469) requesting a budgetary cost estimate and lead time for providing a complete Level III Technical Data Package with U. S. Government rights for use of data for competitive procurement purposes. A criticality determination for these items has not yet been entered into JDRS. A request for determination and entry into JDRS has been submitted. Source Development Department files indicate no SAR has been received from any company interested in becoming a source of supply for these items. Herley Industries (24469) is the only approved source of supply at this time. JPB

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. JPB

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]	Allen Chaffin Name	[redacted]	1-6-2015 Date
[redacted]	John Tantolo Name	[redacted]	1-6-2015 Date

[redacted] RRENCE

[redacted]	Name	Phone	JAN 09 2015 Date

CONTRACTING OFFICER CERTIFICATION

[redacted] nd complete to the best of my knowledge and belief.

[redacted]	THOMAS F. KENDRA Name	2[redacted]	1/26/15 Date

LEGAL SUFFICIENCY REVIEW

I [redacted] fficient

[redacted]	Sharif T. Dawson, Esq. Associate Counsel DLA C[redacted] Name	Phone	2/2/15 Date

APPROVAL REQUIRED BY FAR 6.304

Signature	Michael Massello Competition Advocate Name	[redacted]	2/3/15 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: Jan 6, 2015

Requisition/PD#(s): N00383-15-RCP-Z028

NSN/P/N(s): 7RE 5895-01-167-7484/7RE 5895-01-091-2434

(AMC/AMSC) or (RMC/RMSC): 3H LSR (Limited Screen Review) Code/Ext:

DCA Cage Code: 24469 [PHL] FSR (Full Screen Review > $650k) Code/Ext: N232.17 / 3003

CONFIGURATION VALIDATION RESOURCES / DATA INTEGRITY

MECHANICSBURG (Check all that apply)

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

PHILADELPHIA (Check all that apply)

- ☒ ITIMP - Integrated Technical Item Management & Procurement
- ☐ IPB - Illustrated Parts Breakdown
- ☒ JEDMICS - Joint Engineering Data Management Info & Control System
- ☒ ERP / ORACLE / FMT
- ☒ FLIS - Federal Logistics Information System
- ☐ 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: 01A223000A-23-11/01A223024A21-12

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

Remarks: Herley Industries (24469) is the only approved source of supply at this time.

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] Not in JDRS - Initiated Criticality Determination. Procure from approved sources of supply

Remarks (optional):

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):

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

Remarks:

Additional Remarks: [redacted]

Signature

Date: Jan 6, 2015

Requisition/PD#: N00383-15-RCP-Z028