

**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: 15268-0044

Requisition/PD# PATX5452386045 / PDEK5460076028

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

Kenneth Weiler Item Manager's Name	[REDACTED]	[REDACTED]	N52212.81 Code
GAREY JORDAN Technician's Name	[REDACTED]	[REDACTED]	N52211.11 Code
RICHARD FERRAILO Buyer's Name	[REDACTED]	[REDACTED]	APAB.08 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: SHOCK STRUT ASSEMBLY      Quantity: [REDACTED]

NSN: 1680-01-529-0847 CB      CAGE Code: 78286-13002

P/N: 2012D-100      Unit Price: [REDACTED]

Estimated Value (include option): [REDACTED]      The required delivery date is: 30 Sep 16

Ship To: AUSTRALIAN GOV CARGO OFFICE, C/O DHL GLOBAL FORWARDING, 99 B SOUTH HILL DR, BRISBANE CA 94005-1209

Line of Accounting  
97-11X8242 2884 000 74842 0 065916 2D PATX54 523860450SCF

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  C  multiple codes see pg 2 for definitions

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

AMSC C. This part requires engineering source approval by the design control activity in order to maintain the quality of the part. Existing unique design capability, engineering skills, and manufacturing knowledge by the qualified source(s) require acquisition of the part from the approved source(s). The approved source(s) retain data rights, manufacturing knowledge, or technical data that are not economically available to the Government, and 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 cognizant Government engineering activity. The qualification procedures must be approved by the Government engineering activity having jurisdiction over the part in the intended application.

This acquisition will be negotiated with: (13002) GOODRICH CORP.

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, Goodrich Corporation (13002). 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 and included a Sources Sought Notice on the FedBizOpps website for government-wide point of entry on

17 Mar 2015

and as a result:

As a result of the sources sought notice, Jerry Spycher from KYNTEC Corporation expressed interest in becoming an approved source for this item. I sent him the information on submitting a Source Approval Request package and forwarded his information to Bob Hughes for assistance with the process. I also reminded him that as stated in the Sources Sought notice, the time required for approval of a new source is normally such that an award of the current solicitation cannot be delayed pending approval of a new source. He acknowledged that he understood the timing and that he would only potentially be considered for a future award.

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 Shock Strut Assembly is a Critical Safety Item (CSI) 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 Goodrich Corporation (13002). Data review discloses that all the manufacturing data including all manufacturing manuals, publications, associated drawings and specifications required to manufacture and maintain the quality of the subject item are not in Government possession and cannot be economically obtained. Without the manufacturing data it is not possible for any other source to manufacture the subject item. No other company has access to the manufacturing 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 currently expressed an interest in becoming an approved manufacturing source for 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](http://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. To promote competition the NAVSUP WSS will continue to encourage manufacturers with the

**9. REFERENCE TO THE APPROVED ACQUISITION PLAN:**

An informal ~~formal~~ acquisition plan is ~~is not~~ required for this acquisition.

Source Selection Information - See FAR 2.101 & 3.104

C1 Spares J&A  
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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] GARY J JORDAN [Redacted] 3-1-16  
Signature Name Phone Date

[Redacted Signature] [Redacted] Bradley Wilhelm [Redacted] 3-1-16  
Signature Name Phone Date

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

[Redacted Signature] [Redacted] John Sweeney [Redacted] 3-10-16  
Signature Name Phone Date

**CONTRACTING OFFICER CERTIFICATION**

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

Richard Ferraido Richard Ferraido [Redacted] 3/10/16  
Signature Name Phone Date

**LEGAL SUFFICIENCY REVIEW**

[Redacted Signature] [Redacted] Sharif T. Dawson, Esq. [Redacted] 3/15/16  
Signature Name DLA Assoc. Counsel Phone Date

**APPROVAL REQUIRED BY FAR 6.304**

[Redacted Signature] [Redacted] [Redacted] [Redacted]  
Signature Name Phone Date

**Approval Levels:**

\$150,000 - \$700,000:	Contracting Officer
Over \$700,000 - \$13,500,000:	Competition Advocate
Over \$13,500,000 - \$93,000,000:	HCA
Over \$93,000,000:	DLA SPE