

**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: 15281-0017

Requisition/PD# N0038316X0166

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

Steven R Hamilton Item Manager's Name	[REDACTED] Extension	N9817.37 Code
Wayne Collington Technician's Name	[REDACTED] Extension	N9817.53 Code
Deirdre O'Keefe Buyer's Name	[REDACTED] Extension	APAB.04 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: Container Assembly      Quantity: [REDACTED]

NSN: 7RH 1680 01212917 LU      CAGE Code: 61423

P/N: 897893      Unit Price: \$ [REDACTED]

Estimated Value (include option): \$ [REDACTED]      The required delivery date is: 11/01/2016

Ship To: SW3113

Line of Accounting  
97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPX00000000

**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  P  multiple codes see pg 2 for definitions

Folder Number: 15281-0017

Requisition/PD# N0038316X0166

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: KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE AND DEFENSE (61423)

Part Number (P/N) 897893 is the FIREX Container Assembly used on the H53-E platform. This item is currently manufactured by the Original Equipment Manufacturer (OEM) KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE and DEFENSE (61423). KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE and DEFENSE (61423) manufactures this item utilizing technical data/specifications, tooling and supporting test equipment that are proprietary to KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE and DEFENSE (61423). Due to the proprietary nature of the data used in the manufacturing process for P/N 897893, no other source currently has the expertise, facilities or the test equipment required to make P/N 897893. NAVSUP WSS will continue to encourage new sources with the expertise to make this item to submit a complete technical data package for review and source approval by the appropriate engineering source approval authority, namely, NAVSUP WSS, or NAVAIR. Future requirements will be advertised in the FedBizOpps website ([www.fedbizopps.gov](http://www.fedbizopps.gov)) in order to encourage potential suppliers to submit Source Approval Requests. For these reasons NAVSUP WSS is presently unable to fully compete this item.

**6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:** The proposed contract action was synopsisized and included a Sources Sought Notice on the FedBizOpps website for government-wide point of entry on

Feb 10, 2016

and as a result:

Source Sought response date 2/23/16. No other sources expressed interest. No prior J & A as the only prior award was a purchase order under the J & A threshold.

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:

Market research was conducted in accordance with FAR Part 10. The NAVSUP Weapon Systems Support (WSS) H-53 Technical Department has conducted a market research per the market research document. Part number 897893 FIREX Container Assembly is made by the Original Equipment Manufacturer (OEM), KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE and DEFENSE (61423). As the OEM, KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE and DEFENSE (61423) manufactures P/N 897893 using drawings/specifications, supporting test equipment, and tooling that are proprietary to KIDDE TECHNOLOGIES INC, KIDDE AEROSPACE and DEFENSE (61423). The inability to develop new suppliers stems from the proprietary nature of the data used to make P/N 897893. Consequently, any other interested source must qualify in accordance with the design control activity's procedures, as approved by the cognizant Government engineering activity, NAVAIR. For these reasons NAVSUP WSS is presently unable to fully compete this item.

**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 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: 15281-0017

Requisition/PD# N0038316X0166

**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] Wayne COLLINGTON [Redacted Title] 26 MAY 2016  
Signature Name Title Date

[Redacted Signature] Steven R Hamilton [Redacted Title] 26 May 2016  
Signature Name Title Date

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

[Redacted Signature] John Sweeney [Redacted Title] 1 June 2016  
Signature Name Title Date

**CONTRACTING OFFICER CERTIFICATION**

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

[Redacted Signature] DEBORAH O'KEEFE [Redacted Title] June 2016  
Signature Name Title Date

**LEGAL SUFFICIENCY REVIEW**

[Redacted Signature] Sharif T. Dawson, Esq. [Redacted Title] [Redacted Phone] 6/16/16  
Signature Name Title Phone Date

**APPROVAL REQUIRED BY FAR 6.304**

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