



**DEFENSE LOGISTICS AGENCY
AVIATION
700 ROBBINS AVENUE, BUILDING 1, ROOM 2211
PHILADELPHIA, PENNSYLVANIA 19111-5098**

8/11

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="Item Manager's Name"/>	<input type="text" value="Extension"/>	<input type="text" value="Code"/>
<input type="text" value="Technician's Name"/>	<input type="text" value="Extension"/>	<input type="text" value="Code"/>
<input type="text" value="Buyer's Name"/>	<input type="text" value="Extension"/>	<input type="text" value="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="Modem, Dual Channel"/>	Quantity: <input type="text" value="5"/>
NSN: <input type="text" value="ORH 1680-01-617-6901"/>	CAGE Code: <input type="text" value="94987"/>
P/N: <input type="text" value="327520-2"/>	Unit Price: \$ <input type="text" value=""/>
Estimated Value (include option): \$ <input type="text" value=""/>	The required delivery date is: <input type="text" value="7/1/2016"/>
Line of Accounting <input type="text" value="1700 1416 1506 J6JC 260 00019 0 050120 2D 000000 A 10002605228"/>	

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: 14316-0011

Requisition/PD# N0038315X0288

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

AMSC H. The Government physically does not have in its possession sufficient, accurate, or legible data to purchase this part from other than the current source(s). The deficiency is under review for resolution.

This acquisition will be negotiated with: Cubic Defense Applications INC, (94987)

The items that are to be procured under this acquisition are for Interim Supply Support (ISS) of the Fire Scout. ISS items are considered design unstable as no formal configuration baseline has been established. One of the critical functions of the interim support phase is designed to determine a baseline configuration, which impacts maintenance requirements and logistical support. As the Fire Scout aircraft is currently in the interim support phase of the life cycle process, the aircraft is experiencing constant anomalies and variance within the configuration. The government physically does not have in its possession sufficient engineering and technical data to contract for spares with other than the prime. Since the Material Support Date (MSD) is scheduled for October 01 2017, re-procurement technical data has not yet been developed, and will not be available in time to support Initial Operating Capability (IOC). It is anticipated that technical data will be provided to the Navy at a later date, at which time the technical data will be evaluated to determine if it is suitable for competition, as well as evaluating the feasibility of any other alternatives for achieving and/or enhancing, competition. A criticality determination has been performed and the subject item does not have a criticality code at this time due to still being on Interim Support.

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

01/15/15

and as a result:

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:

Market research was not conducted due to item being on interim support and unstable at this time.

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 and 6, NAVSUP WSS has no plans at this time to openly compete future contracts for the types of supply/services covered by this document. If other potential sources are interested, 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: 14316-0011

Requisition/PD# N0038315X0288

**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] [Aug 5, 2015 Date]

Requirements Cognizance:

[Redacted Signature] [Redacted Name] [Redacted Phone] [Aug 5, 2015 Date]

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[Redacted Signature] John Sweeney [Redacted Phone] [Aug 5, 2015 Date]

CONTRACTING OFFICER CERTIFICATION

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

[Redacted Signature] K. J. SMITH [Redacted Phone] [8-6-2015 Date]

LEGAL SUFFICIENCY REVIEW

I have determined this justification is legally sufficient

[Redacted Signature] [Redacted Name] [Redacted Phone] [8/11/15 Date]

APPROVAL REQUIRED BY FAR 6.304

[Signature] Claudette Parrott [Redacted Phone] [8/11/15 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