4.14.16 CSP

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: 15233-0022

Requisition/PD# N0038315X4320

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

[redacted]
Item Manager's Name | Extension | Code

[redacted]
Technician's Name | Extension | Code

[redacted]
Buyer's Name | Extension | 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: GGU Concentrator | Quantity: 11

NSN: 1660 016295103 | CAGE Code: 99251

P/N: 3261077-0103 | Unit Price: [redacted]

Estimated Value (include option): $[redacted] | The required delivery date is: 17 June 2016

Ship To: SDF (UIC SW3117)

Line of Accounting

97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPT00000000

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

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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:

CARLETON LIFE SUPPORT SYSTEMS
D/B/A COBHAM MISSION SYSTEM
2734 HICKORY GROVE RD
COBHAM MISSION SYSTEM 2734 HICKORY GROVE RD DAVENPORT, IA

Since CARLETON LIFE SUPPORT SYSTEMS (99251) is the (OEM) original equipment manufacturer of the GGU Concentrator and no other company has access to the proprietary data that would enable them to manufacture this support equipment nor will they provide this proprietary intellectual property information. The GGU Concentrator is not a commercial-off-the-shelf piece of support equipment, and there are no other brand name items or equivalent available. CARLETON LIFE SUPPORT SYSTEMS is the original equipment designer & manufacturer for this peculiar support equipment, and is the only supplier capable of manufacturing the GGU Concentrator. The drawings, specifications, and technical data for the GGU Concentrator are proprietary to MANITEX Load King, Inc. The government does not and will not own the required data for the GGU Concentrator. CARLETON LIFE SUPPORT SYSTEMS (99251) will be the only source solicited because the articles to be acquired are highly specialized parts, designed and manufactured by this non-Government activity. No other manufacturer's part can be used as a replacement for this item. Criticality has not yet been determined by JDRS.

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

The synopsis and sources sought were done on 22 sep 2015

and as a result:

no additional offers were received

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 this GGU Concentrator by sources other than Carleton Life Support Systems (99251) is proprietary to the OEM and will not be released for competitive procurement purposes. A criticality determination for this item has not yet been entered into JDRS therefore 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 this item and that Carleton Life Support Systems (99251) is the only approved source of supply at this time. To promote competition the NAVSUP (WSS) will continue to encourage manufactures 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.

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. Future requirements will be advertised in the FedBizOps website (www.fedbizops.gov) in order to encourage potential suppliers to submit Source Approval Requests.

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:

Signature	Name	Phone	Date
[redacted]	[redacted]	[redacted]	Oct 13, 2015

Requirements Cognizance:

Signature	Name	Phone	Date
[redacted]	[redacted]	[redacted]	Oct 13, 2015

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

Signature	Name	Phone	Date
[redacted]	John Sweeney	[redacted]	Oct 28, 2015

CONTRACTING OFFICER CERTIFICATION

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

Signature	Name	Phone	Date
[redacted]	Marie Lisowski	[redacted]	4/14/2016

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

Signature	Name	Phone	Date
[redacted]	Sharif T. Dawson, Esq. Associate Counsel DLA C[illegible] Aviation Phone [redacted]		4/14/16

APPROVAL REQUIRED BY FAR 6.304

Signature	Name	Phone	Date
[signature]	Claudette Parrott Competition Advocate	[redacted]	4.14.16

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