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: 16062-0043

Requisition/PD# N0038316X1845

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

ALLAN CRAVEN Item Manager's Name	[redacted] Extension	N9816.18 Code
DAVID SEBASTIANI Technician's Name	[redacted] Extension	N9816.54 Code
LORAINE SMITH Buyer's Name	[redacted] Extension	APAC.06 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: PITCH HORN, AIRCRAFT — Quantity: [redacted]

NSN: 1680-01-557-5008 — CAGE Code: 94799

P/N: 449-012-110-101 — Unit Price: [redacted]

Estimated Value (include option): [redacted] — The required delivery date is: JAN 2017

Ship To: W25G1U (23 EACH)

Line of Accounting

97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPV00000000

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: Bell Helicopter, Cage 97499

Bell Helicopter Inc. (97499), is the only approved source of procurement for this item, part number 449-012-110-101 and will be negotiating the contract. Available data including all depot level repair publications, supporting test equipment, drawings and specifications required to procure the subject item has not been found adequate to support full and open competition. The Government does not own or have the rights to the technical data. Additionally, part number 449-012-110-101 was found to be a critical safety item (CSI), per the CIM-SEARCH found in JDRS. Additional procurement sources must be approved by the source approval authority for this item, Bell Helicopter (97499).

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

Mar 28, 2016

and as a result:

No other sources have expressed an interest as of 16 Jun 2016

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:

Currently, the only approved source of procurement for the pitch horn is Bell Helicopter (97499), and will be negotiate the contract. Suitable technical data is not available to the Government to qualify another source of procurement. The subject item contains restrictive legend and the data is the property of Bell Helicopter (97499). Bell Helicopter will not release any or all the data to the Navy. Additionally, the subject item is a critical safety item (CSI), verified in JDRS and requires engineering source approval by the design control activity, Bell Helicopter (97499).

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 fully 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.

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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]	DAVID SEBASTIANI	[redacted]	Jun 21, 2016
	Name	Phone	Date

Requirements Cognizance:

[redacted]	ALLAN CRAVEN	[redacted]	Jun 21, 2016
Signature	Name	Phone	Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[redacted]	M. SHORTALL	[redacted]	6/28/16
Signature	Name		Date

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledg[redacted]

			7/12/16
Signature	Name		Date

LEGAL SUFFICIENCY REVIEW

I [redacted] sufficient

[redacted]	Sharif T. Dawson, Esq. Associate Counsel DLA C[redacted]		7/13/16
Signature	Name	Phone	Date

APPROVAL REQUIRED BY FAR 6.304

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