

WDC
10/13/16

**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: 15243-0032

Requisition/PD# N0038316X0018

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

Sharon Moyer Item Manager's Name	[REDACTED]	[REDACTED]	N9818.22 Code
Andrew Ross Technician's Name	[REDACTED]	[REDACTED]	N9818.T7 Code
Deirdre O'Keefe Buyer's Name	[REDACTED]	[REDACTED]	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: Data Transfer Unit Quantity: [REDACTED]

NSN: 7RH 5999 014830649 BL CAGE Code: 03640

P/N: 263A985-1 Unit Price: [REDACTED]

Estimated Value (include option): [REDACTED] The required delivery date is: DEC 2017

Ship To: Q90069 - QAT (AAR)

Line of Accounting
97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPY00000000

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: 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 B. This part must be acquired from a manufacturing source(s) specified on a source control or selected item drawing as defined by the current version of DoD-STD-100. Suitable technical data, Government data rights, or manufacturing knowledge are not available to permit acquisition from other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Data review discloses that required data or data rights are not in Government possession and cannot be economically obtained.

This acquisition will be negotiated with: LOCKHEED MARTIN (03640)

LOCKHEED MARTIN (03640) will be solicited because Hamilton LOCKHEED MARTIN (03640) is the only approved source of supply. Only LOCKHEED MARTIN (03640) the owner of the source-controlled technical data or NAVAIR the Basic Design Engineer (BDE), can approve new sources for the manufacture of these items. The source approval process involves inspection and review of manufacturing techniques, special skills, qualifications, and knowledge required to complete the complex manufacturing procedures. Although LOCKHEED MARTIN (03640) owns the technical data for this item, they do not possess all necessary capabilities to manufacture the items, only LOCKHEED MARTIN (03640) does. No other source possesses the necessary manufacturing capability, access to technical data, special skills, qualifications and knowledge required to supply the subject items. The Government does not possess sufficient rights in the technical data to distribute them to potential new suppliers of the items.

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

9/30/2016

and as a result:

no additional sources expressed an interest in the requirement.

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 procurement of this Data Transfer Unit, from sources other than Lockheed Martin (03640), is source controlled (AMC/AMSC 3B). Potential new sources of supply will require approval by Lockheed Martin (03640). A criticality determination for this item has not yet been entered into JDRS. A request for determination and entry into JDRS has been submitted. Source Development Department files indicate Lockheed Martin (03640) is the only approved source of supply at this time. *APB*

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 plan 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 FedBizOpps website (www.fedbizopps.gov). *APB*

9. REFERENCE TO THE APPROVED ACQUISITION PLAN:

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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] Andrew Kess [Redacted] 7 OCT 16
Name Date

Requirements Cognizance:

[Redacted] Tamia Heacock [Redacted] 7 Oct 16
Name Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

[Redacted] John Sweeney [Redacted] 11 OCT 2016
Name Date

CONTRACTING OFFICER CERTIFICATION

[Redacted] and complete to the best of my knowledge and belief
DEIRDRE O'KEEFE [Redacted] 12 Oct 2016
Name Date

LEGAL SUFFICIENCY REVIEW

[Redacted] legally sufficient
[Redacted] Sharif T. Dawson, Esq.
Associate Counsel
DLA [Redacted] 10/21/16
Name Phone Phone Date

APPROVAL REQUIRED BY FAR 6.304

William Cosenza [Redacted] 10/13/16
Signature Name Date
Comp Adv

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