

**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: 15357-0016

Requisition/PD# N0038316X1009

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

Maureen DeLorenzo Item Manager's Name	[REDACTED]	N98152.16 Code
Tom Nolan Technician's Name	[REDACTED]	N98152.55 Code
John Finley Buyer's Name	[REDACTED]	APAP.18 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: Valve Assymbly      Quantity: [REDACTED]

NSN: 7RH 4810 016062525 P8      CAGE Code: (99643)

P/N: 71784      Unit Price: [REDACTED]

Estimated Value (include option) [REDACTED]      The required delivery date is: Dec 2016

Ship To: SW3122

Line of Accounting  
97 00 XX XX 4930 NC1A 000 85004 0 050120 7R 000000 7PPE00000000

**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 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). This code is applicable only to parts under immediate buy requirements and only for as long thereafter as the deficiency is under review for resolution and appropriate recoding. This code is only assigned at the conclusion of limited screening, and it remains assigned until the full screening process resolves physical data questions and results in assignment of a different AMSC. If one source is available, AMCs 3, 4, or 5 are valid. If at least two sources exist, AMCs 1 or 2 are valid.

This acquisition will be negotiated with: (99643) EATON CORPORATION

This aircraft has no base line and as such it is imperative that the government deal with one contractor, Eaton the OEM, for manufacture of these items. The government physically does not have in its possession sufficient engineering and technical data to contract spares with other than the OEM. As the P-8 aircraft has not been base lined by NAVAIR and is currently pre-physical configuration audit (PCA), the aircraft mission systems are experiencing constant anomalies and variance within the configuration. The government does not have empirical engineering data available that would allow for realistic competitive sustainment efforts at this time. These items are continually being altered and evaluated. The logistical and technical requirements are varying in such a way that it is essential and in the Navy's best interest to deal only with the OEM at this time.

One of the critical functions during provisioning is the determination of the baseline configuration which impacts maintenance requirements and logistical support. The Navy's test and evaluation squadron has been evaluating these items with field service representatives and Navy engineering technical support gathering data required for maintenance and logistical planning. The Navy's fleet replacement and training squadron is performing organic squadron level maintenance under the cognizance of field service representatives and Navy engineering technical support, training naval maintenance personnel for P-8 future support of fielded aircraft. NAVAIR is responsible for the base line configuration of the aircraft.

**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

May 12, 2016

and as a result:

No other sources expressed an interest in this acquisition as a result of the synopsis or the Sources Sought Notice. Since the base line configuration for the P-8 aircraft has not been established, the Navy does not possess the data to allow for full market research at this time.

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:

Limited market research was conducted in accordance with FAR Part 10. These items were synopsisized and a Sources Sought Notice was issued. No other sources expressed an interest in this acquisition as a result of the synopsis or the Sources Sought Notice. Since the base line configuration for the P-8 aircraft has not been established, the Navy does not possess the data to allow for full market research 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:**

As stated in paragraph 5, the P-8 aircraft has not gone through PCA and has not been base lined. Once the baseline configuration has been approved and established by NAVAIR, NAVSUP WSS will determine if the data is available and if so will aggressively pursue a commercially competitive posture for future procurements of this item. NAVAIR has not yet established whether the data rights required to allow for commercial competition will be procured. Therefore we cannot commit, at this time, to a post MSD commercial competitive posture under this agreement.

**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] Tom Nolan [Redacted] Jun 14, 2016  
Name Phone Date

**Requirements Cognizance:**

[Redacted] Kevin Lengyel [Redacted] Jun 14, 2016  
Name Phone Date

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

[Redacted] *McSHORTALL* [Redacted] 6/17/16  
Name Date

**CONTRACTING OFFICER CERTIFICATION**

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

*Jon Philby* *Sho Philby* [Redacted] 8/17/16  
Signature Name Phone Date

**LEGAL SUFFICIENCY REVIEW**

I have [Redacted] Sharif T. Dawson, Esq.  
[Redacted] Assoc. Counsel  
[Redacted] DLA  
[Redacted] Pho [Redacted] Phone Date  
*8/17/16*

**APPROVAL REQUIRED BY FAR 6.304**

[Redacted] [Redacted] [Redacted] [Redacted]  
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

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NSN/P/N(s): 7RH 4810 016062525 P8

(AMC/AMSC) or (RMC/RMSC): 3H LSR (Limited Screen Review)

Code/Ext: 4971

DCA Cage Code: (99643)

[PHL] FSR (Full Screen Review > \$650k) Code/Ext:

### CONFIGURATION VALIDATION RESOURCES / DATA INTEGRITY

#### MECHANICSBURG (Check all that apply)

<input type="checkbox"/> ITIMP - Integrated Technical Item Management & Procurement	<input type="checkbox"/> EB Single Parts Master
<input type="checkbox"/> E-LAR - Electronic Liaison Action Records	<input type="checkbox"/> TDP Tool
<input type="checkbox"/> CITIS - Contractor Integrated Technical Information System	<input type="checkbox"/> IRPOD
<input type="checkbox"/> ATIS - Advanced Technical Information System	<input type="checkbox"/> BPMI - Atomic Power
<input type="checkbox"/> Dry Deck Shelter/Oil Web-Site	<input type="checkbox"/> ISEA - In-Service Engineering Activity
<input type="checkbox"/> NSEDR - Naval Ships Engineering Drawing Repository	<input type="checkbox"/> LARs
<input type="checkbox"/> EIS - Engineering Information System	<input type="checkbox"/> CDAs
<input type="checkbox"/> CDMD-OA - Configuration Data Managers Database - Open Architecture	<input type="checkbox"/> FLIS
<input type="checkbox"/> ERP/ORACLE/FMT	

#### PHILADELPHIA (Check all that apply)

<input type="checkbox"/> ITIMP - Integrated Technical Item Management & Procurement	<input type="checkbox"/> ERP / ORACLE / FMT
<input type="checkbox"/> IPB - Illustrated Parts Breakdown	<input type="checkbox"/> FLIS - Federal Logistics Information System
<input type="checkbox"/> JEDMICS - Joint Engineering Data Management Info & Control System	<input type="checkbox"/> SERD - Support Equipment Recommendation Data

#### DATA INTEGRITY (Reference)

AMC/AMSC - Acquisition Method (Suffix) Code	AAC - Acquisition Advise Code	Criticality Coding (CSI/CAI)
RMC/RMSC - Repair Method (Suffix) Code	NSN (National Stock Number)	Past Contracts
DCA (Design Control Activity) Cage Code	Units per application (if other than OEM)	Nomenclature
PR (Procurement Requisition) Dollar Value	Recorded Approved Sources of Supply	Reference Part Number
Applicable TMS Weapon System/Usable-On-Code	Historical Sources of Supply	SM&R Code
[MECH] Competition Advocate Data Integrity: <input type="text"/>	[MECH] Submitter Data Integrity: <input type="text"/>	
initials	initials	

#### SOURCE VALIDATION RESOURCES (Check all that apply)

<input type="checkbox"/> EBS - Enterprise Business System (Secure System)
<input type="checkbox"/> PDREP - Product Deficiency Reporting and Evaluation Program
<input type="checkbox"/> JDRS - Joint Deficiency Reporting System (CSI - Critical Safety Item / CAI - Critical Application Item)
<input type="checkbox"/> Drawing Interpretation - Availability, Criticality (Safety, Application, Dimensional, etc.), VSE (Vendor Substantiation Engineering Required), Latest Revision Level, Proprietary Legends, Source/Specification Controlled
<input type="checkbox"/> [PHL] USP Database (Unsolicited Source Proposal) :DATA:_N23:AdeleUSP
<input type="checkbox"/> [PHL] Repair Manuals Review / Validation

**MARKET RESEARCH EVALUATION**

\*\* REMARKS REQUIRED for "YES" Responses (unless marked optional) \*\*

1.  Configuration Correct

Configuration: The P-8 Baseline has not yet been established by NAVAIR.

Previous J&A: No previous J&A available, see reasoning below

Remarks: This aircraft has no baseline and is Pre -Physical Condition Audit (PCA). The previous procurement did not reach the threshold requiring a J&A. NAVAIR has made previous procurements for the P-8.

2. Manufacturing/Repair Source(s) Records have been aligned and validated  YES

Remarks:

3. Drawing Data Interpretation

a) Drawing Data Availability

Location/Remarks:

b) Specification / Source Controlled Drawing

Remarks:

c) DCA Drawing Contains a Restrictive Legend

Remarks:

d) [MECH] Distribution Statement

Remarks:

4. Criticality Determination

Validated, Identified, and Properly Documented

Remarks (optional):

5. [PHL] Technical Data (Spares/Repairs)

Incomplete - Have Source Development send a request (if feasible) to the OEM for a budgetary cost estimate and lead time for providing a complete level III Technical Data Package, set of repair manuals, and/or Technical Data/Specifications with the U.S. Government rights for use of data for competitive procurement purposes.

Complete - Procure from the current approved source(s) of supply  
\* A completed SAR is required to qualify all new sources \*

Remarks (optional):

6. USP Determination

Remarks:

Additional Remarks:

Signature

Date: Jun 14, 2016