

**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: 15278-0070

Requisition/PD# PATX5452386152

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

AMAURY MIRABAL Item Manager's Name	[REDACTED] Extension	N522 Code
GARY JORDAN Technician's Name	[REDACTED] Extension	N52211.11 Code
Marie Lisowski Buyer's Name	[REDACTED] Extension	APBB.01 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: FUEL CONTROL, MAIN      Quantity: [REDACTED]

NSN: 2915-01-492-3907 XQ      CAGE Code: 66503

P/N: 4046T52G37      Unit Price: [REDACTED]

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

Ship To: AUSTRALIAN GOV CARGO OFFICE, C/O DHL GLOBAL FORWARDING, 99B SOUTH HILL DRIVE, BRISBANE, CA 94005-1209

Line of Accounting  
9711X8242 2884 000 74842 0 065916 2D PATX54523861400SCF

**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: WOODWARD, INC. (66503)

Woodward Governor (66503) is the OEM for the subject Fuel Control p/n 4046T52G37. The item is a Critical Safety Item (CSI). Woodward Governor (66503) retains data rights, manufacturing knowledge, and 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 NAVAIR.

**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

Dec 31, 2015

and as a result:

No other interested parties

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 NAVSUP Weapon Systems Support (WSS) Source Development Department (SDD) has conducted a market research per the market research document. The subject Fuel Control is a Critical Safety Item (CSI) and all alternate sources must qualify IAW the design control activity's procedures, as approved by NAVAIR prior to contract award. Available data including all publications, supporting test equipment availability and associated drawings and specifications required to manufacture the subject item are not available to purchase from other than the current approved source of supply Woodward Governor (66503). Also the data for the subject item contains restrictive legend and the data is proprietary to Woodward Governor (66503) and they will not release any or all the data to the Navy. Data review discloses that required data or data rights are not in Government possession and cannot be economically obtained. Without the technical data it is not possible for any other source to manufacture the subject item. No other company has access to the technical data that would enable them to manufacture the subject item. The government does not possess the manufacturing data necessary to support full and open competition. No other sources have expressed an interest in manufacturing the subject item to the Source Development Department. To promote competition the NAVSUP WSS will continue to encourage manufacturers 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 per the WSS guidelines. Also future requirements will be advertised in the FedBizOpps website ([www.fedbizops.gov](http://www.fedbizops.gov)) in order to encourage potential suppliers to submit Source Approval Requests.

**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) & (6), NAVSUP WSS has no plans at this time to compete future contracts for the types of supplies/ services covered by this document. To promote competition the NAVSUP WSS will continue to encourage manufacturers 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 per the (WSS) guidelines. Also future requirements will be advertised in the FedBizOpps website ([www.fedbizops.gov](http://www.fedbizops.gov)) in order to encourage potential suppliers to submit Source Approval Requests. If another potential manufacturing 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 Signature] [GARRY J JORDAN] [Redacted Phone] [8-30-16]  
Name Phone Date

[Redacted Signature] [BRAD WILHELM] [Redacted Phone] [8-31-16]  
Name Phone Date

**COMPETITION ADVOCATE REVIEW AND CONCURRENCE**

[Redacted Signature] [John Sweeney] [Redacted Phone] [8 SEP 2016]  
Name Phone Date

**CONTRACTING OFFICER CERTIFICATION**

[Redacted Signature] and complete to the best of my knowledge and [Redacted Phone]  
[MARIE LISOWSKI] [Redacted Phone] [9/7/16]  
Name Phone Date

**LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient

[Signature] [Sharif T. Dawson, Esq.] [Redacted Phone] [9/14/16]  
Signature Name Associate Counsel DLA Phone Phone Date

**APPROVAL REQUIRED BY FAR 6.304**

[Redacted Signature] [Redacted Name] [Redacted Phone] [Redacted Date]  
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

Source Selection Information  
FAR 2.101 and 3.104

Requisition/PD#(s): PATX5452386152

NSN/P/N(s): 2915-01-492-3907 / PART NUMBER 4046T52G37

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

Code/Ext:

DCA Cage Code: 66503

[PHL] FSR (Full Screen Review > \$700k) Code/Ext: N233.5, X2299

### 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 checked="" type="checkbox"/> ITIMP - Integrated Technical Item Management & Procurement        | <input checked="" type="checkbox"/> ERP / ORACLE / FMT                          |
| <input checked="" type="checkbox"/> IPB - Illustrated Parts Breakdown                                 | <input checked="" type="checkbox"/> FLIS - Federal Logistics Information System |
| <input checked="" 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:

initials

[MECH] Submitter Data Integrity:

initials

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

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

Source Selection Information  
FAR 2.101 and 3.104  
OCT 2015

**MARKET RESEARCH EVALUATION**

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

1.  Configuration Correct

Configuration: P/N 4046T52G37

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

Remarks: Previous buys not J and A threshold

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

Remarks: Currently the only approved manufacturing source is Woodward Governor (66503).

3. Drawing Data Interpretation

a) Drawing Data Availability  YES - Data Reviewed - see Remarks for relevant information found on Drawings

Location/Remarks: JEDMICS

b) Specification / Source Controlled Drawing  NO

Remarks:

c) DCA Drawing Contains a Restrictive Legend  YES - See Remarks for appropriate economic approach to circumstance

Remarks: Data is proprietary to Woodward Governor (66503).

d) [MECH] Distribution Statement

Remarks:

4. Criticality Determination

Validated, Identified, and Properly Documented

[PHL] CSI

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): Technical data is proprietary to Woodward Governor (66503).

6. USP Determination [PHL] NO - No existing SARs currently in process from any Potential Sources

Remarks:

Addit

Signat

Date: 8/30/2016

