



**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:

Requisition/PD#

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

<input type="text" value="Maureen DeLorenzo"/> Item Manager's Name	<input type="text" value="██████████"/> Extension	<input type="text" value="0317.16"/> Code
<input type="text" value="Tom Nolan"/> Technician's Name	<input type="text" value="██████████"/> Extension	<input type="text" value="0317.55"/> Code
<input type="text" value="John McCarry"/> Buyer's Name	<input type="text" value="██████████"/> Extension	<input type="text" value="APAP.02"/> 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: Quantity:

NSN: CAGE Code:

P/N: Unit Price:

Estimated Value (include option) The required delivery date is:

Line of Accounting

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:

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The AMC code is 3: Acquire, for the second or subsequent time, directly from the actual manufacturer.

The suffix code is 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). The deficiency is under review for resolution.

This acquisition will be negotiated with: (81205) The Boeing Co.

This aircraft is currently in the interim phase of the life cycle process and as such it is imperative that the government deal with one contractor, the prime, for acquisition of this item. The government physically does not have in its possession sufficient engineering and technical data to contract for spares with other than the prime. As the P-8 aircraft is currently in the interim support phase of the life cycle process and Pre-physical Configuration Audit (PCA), the aircraft is 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. The flight capabilities and characteristics that the P-8 is expected to conform to are continually being altered and evaluated. As the program develops and passes the various milestones of the interim support phase, logistical and technical requirements are varying in such a way that it is not technically feasible for the navy to deal with the individual contractors at this time. Therefore it is in the Navy's best interest to leverage the relationship of the prime contractor with its sub-contractors and utilize a single source for these items.

One of the critical functions of the interim support phase is designed to determine a baseline configuration, which impacts maintenance requirements and logistical support. The interim phase of the life cycle is comprised of the Initial Operation and Evaluation (IOT&E) portion, and the initial fielding portion. During the IOT&E portion the Navy's test and evaluation squadron has been performing organic maintenance with Boeing field service representatives and Navy engineering technical support gathering data required for maintenance and logistical planning. The aircraft is now in the initial fielding portion of interim support. During interim support, the navy's fleet replacement and training squadron is performing organic maintenance under the cognizance of Boeing field reps and Navy engineering technical support, training naval maintenance personnel for P-8 future support of fielded aircraft. Currently the prime, in conjunction with NAVAIR, is responsible for the configuration of the aircraft. After the configuration has been baselined, and the program concludes the PCA, the P-8 will progress to Material Support Date or MSD on 1 October 2015.

6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS AS PRACTICABLE:

The proposed contract action was synopsised in the FedBizOpps website for government-wide point of entry on:

4-7-15

The following sources have expressed an interest in this acquisition: None

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:

Market research was not conducted as the aircraft is currently in the interim phase of the life cycle process.

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, one of the purposes of the interim support period of a new weapon system or platform is to capture record and procure the data required to establish the metrics for logistical sustainment. As the P-8 and her systems progress through interim support and enter material support, 01 October 2015, this data will become more stable. 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. NAVAIR has not yet established weather 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 Signature] Tom Nolan [Redacted Phone] Jan 23, 2015
Name Phone Date

Requirements Cognizance:

[Redacted Signature] LCDR. Henwood [Redacted Phone] Jan 23, 2015
Signature Name Phone Date

CONCURRENCE

[Redacted Signature] Solomon: Procurement Analyst [Redacted Phone] APR 03 2015
Signature Name Phone Date

CONTRACTING OFFICER CERTIFICATION

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

[Handwritten Signature] John McCherry [Redacted Phone] 4-7-15
Signature Name Phone Date

LEGAL SUFFICIENCY REVIEW

I have reviewed and find the justification sufficient. Sharif T. Dawson, Esq.
Associate Counsel
DLA Court of Appeals
[Redacted Signature] [Redacted Phone] 5/7/15
Name Phone Date

APPROVAL REQUIRED BY FAR 6.304

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

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