



**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="Item Manager's Name"/>	<input type="text" value="Extension"/>	<input type="text" value="Code"/>
<input type="text" value="Technician's Name"/>	<input type="text" value="Extension"/>	<input type="text" value="Code"/>
<input type="text" value="Buyer's Name"/>	<input type="text" value="Extension"/>	<input type="text" value="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: <input type="text" value="ASSY, WHEEL HALF INNER"/>	Quantity: <input type="text" value="24"/>
NSN: <input type="text" value="ORH 1680 LLOJXD151 P8"/>	CAGE Code: <input type="text" value="F6137"/>
P/N: <input type="text" value="C20640200"/>	Unit Price: \$ <input type="text" value=""/>

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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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). The deficiency is under review for resolution.

This acquisition will be negotiated with: MBT REPAIR (CAGE 1TQN0)
10255 NW 116 WAY STE 7
MIAMI, FL 33178-1179

This Acquisition will be negotiated with MBT REPAIR (CAGE 1TQN0), the only authorized U.S. distributor of the OEM (Messier-Bugatti CAGE F6137). The P-8A aircraft is currently in the interim phase of the life cycle process and as such, it is imperative that the Government deal exclusively with the OEM or its authorized distributors for procurement of these items. The Government does not physically have in its possession sufficient engineering or technical data to contract for spares with other than the OEM or its authorized distributors at this time. As the P-8A is currently in the interim support/ pre-physical configuration audit (PCA) phase the aircraft and mission systems are experiencing constant anomalies and variations within the configuration. The Government does not have the empirical engineering data available that would allow for realistic competitive sustainment efforts at this time. As the program develops and passes the various milestones of the interim support phase, logistical and technical requirements will continue to vary in such a way that makes it essential, and in the best interest of the Government, to negotiate exclusively with the OEM or its authorized distributors at this time.

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:

5815

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 in accordance with FAR part 10 as this item is part of the P-8A Aircraft program which is currently in the Interim Phase of Life Cycle Support. This is further delineated in paragraphs 5 and 8.

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-8A and its systems progress through interim support and enters Material Support on 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 sufficient data is available, and if so, will aggressively pursue a commercially competitive posture for future procurements. NAVAIR has not yet established whether or not the data rights required to allow for full and open competition will be procured for these items. Therefore, at this time we cannot commit to a post MSD competitive posture for procurement of these items.

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] [Redacted Name] [Redacted Phone] [Redacted Date] May 6, 2015
Date

Requirements Cognizance:

[Redacted Signature] [Redacted Name] [Redacted Phone] [Redacted Date] May 6, 2015
Signature Name Phone Date

COMPETITION ADVOCATE REVIEW AND CONCURRENCE

A. Solomon [Redacted Signature] **A. Solomon: Procurement Analyst** [Redacted Name] [Redacted Phone] [Redacted Date] MAY 08 2015
Signature Code: N21.20 Name Phone Date

CONTRACTING OFFICER CERTIFICATION

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

[Redacted Signature] [Redacted Name] **ROBERT J. ALBINO** [Redacted Phone] [Redacted Date] 5/11/2015
Signature Name Phone Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient

[Redacted Signature] [Redacted Name] **Sharif T. Dawson, Esq.** [Redacted Phone] [Redacted Date] 6/11/15
Signature Name Associate Counsel DLA Counsel Aviation 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