Attachment 4
JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. § 1901
Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements
HC-144 and HC-27 Inverter Repair

In compliance with Federal Acquisition Regulation (FAR) 13.501(a)(1)(ii), this justification uses the format at FAR 6.303-2 and is modified to state that the procedures in FAR subpart 13.5 are used.

1. **Agency and Contracting Activity.**

   The Department of Homeland Security, United States Coast Guard (USCG), Aviation Logistic Center (ALC), Medium Range Surveillance (MRS) Division, Elizabeth City, NC, proposes to enter into a contract on a basis other than full and open competition.

2. **Nature and/or Description of the Action being Approved.**

   (a) Nature of the action: USCG, ALC, MRS Division intends to procure on a sole source basis an Indefinite Delivery Requirements Contract for the HC-144 and HC-27J inverter repair.

   (b) Name and address of the contractor:

   Avionic Instruments, LLC
   Attn: Mary Venezio
   1414 Randolph Ave
   Avenel, NJ 07001
   Cage Code: 10933

   (c) Type of action: Firm Fixed-Price Indefinite Delivery Requirement Contract.

   (d) Estimated total value (including options):

Period	Period of Performance
Base Period	05/16/2025-05/15/2026
Option Period 1	05/16/2026-05/15/2027
Option Period 2	05/16/2027-05/15/2028

The repair services in this justification are on contract 70Z03822DL0000006 that expires on 5/1/2025.

   (e) Type of funding: Operations and Support (O&S) Funds

   (f) Year of funding: Fiscal Years 2025-2028

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(g) Solicitation number: 70Z03824QL0000077

(h) Background information about the requirement: The USCG operates eighteen (18) HC-144 and fourteen (14) HC-27J aircraft. The HC-27J is a medium size military transport aircraft and the HC-144 is a medium range surveillance aircraft. These aircrafts are specifically equipped to perform all USCG missions which include search and rescue, maritime safety, security, and logistics, as well as national defense and protection of natural resources. The procurement of the components and associated spares are needed to support the USCG missions.

3. Description of Supplies/Services

The contractor will inspect, test, troubleshoot, clean, and repair the inverters to support the HC-144 and HC-27J aircrafts. These supplies are essential to avoid grounding of the aircrafts.

The part numbers to be repaired are listed below:

National Stock Number	Part Number	Nomenclature	Repair
6130-01-530-9310	1-002-0102-1025	Inverter-Static	Repair
6130-01-530-9311	1-002-0102-1020	Inverter, AC	Repair
6130-01-530-9312	1-002-0102-1016	Inverter-Static	Repair
6130-01-483-0152	1-002-0102-1245	Converter	Repair
5950-01-518-9563	1-002-0102-1906	Transformer, Power	Repair
6130-01-282-8020	1-001-0102-0084	Inverter, Power, Static	Repair

4. Identification of Statutory Authority Permitting Other Than Full and Open Competition.

The statutory authority permitting other than full and open competition is 41 U.S.C 1901(e)(2), as implemented in Federal Acquisition Regulation (FAR) 13.501 (a), "Sole Source Acquisitions".

5. Identification of Exception to the Buy American Act.

Buy American Act is applicable.

6. Demonstration that the Proposed Contractor's Unique Qualifications or the Nature of the Acquisition Require Use of the Authority Cited.

(a) Rationale for using the authority cited in section 4 of the J&A; Avionics Instruments, LLC, is the Original Equipment Manufacturer (OEM) for the inverters used on the HC-

144 and HC-27J aircraft. The data required to repair the inverters is proprietary to the OEM and is not available from another source. The USCG does not have adequate technical data to provide to potential offerors to promote competition.

(b) Details covering what events lead to the situation requiring use of other than full and open competition procedures including whether any portion of the work can be segregated to allow for competition.

The aircraft OEM, Airbus Defense and Space, has identified multiple smoke and fire in-service events of the inverters used on the HC-144 and HC-27J aircraft. An Operators Information Transmission (OIT) letter was provided to the USCG, which states that the inverter OEM, Avionic Instruments, LLC, has developed a revision to solve the potential smoke and fire issue that will be included in the Service Bulletin. The revision is proprietary to Avionic Instruments, LLC. Therefore, these assets cannot be sent to any other repair facility due to safety of flight concern and proprietary data.

(c) Summarize alternatives considered and why they will not work;
The repaired inverters are to be utilized on the USCG HC-144 and the HC-27J aircraft and must maintain an airworthy condition, which restricts the requirement to the OEM. There are no alternatives to acquire these services from other than the OEM due to the critical safety, proprietary data and maintaining airworthy condition of the aircraft.

(d) Impact to the mission that would result if the J&A is not approved and, consequently, the product or service not provided. This procurement will provide repaired inverters required to support operational maintenance as well as scheduled Programmed Depot Maintenance (PDM) of the HC-144 and HC-27J aircraft. Without these inverters, aircrafts will be grounded for extensive periods of time until the failed inverters can be repaired. Failure to approve this J&A will jeopardize the performance of the USCG's mission due to insufficient stock availability for operational aircraft.

(e) Section is required to be completed when the document includes the exception listed under FAR 25.103(b)(2) or FAR 25.202(a)(2).
Not Applicable

7. Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as is Practicable.

(a) If an announcement has already been made in Contract Opportunities, provide the date of publication;
This acquisition is forecasted in the Department of Homeland Security (DHS) Acquisition Planning Forecast System (APFS), number F2024065284 published on

April 25, 2024, and can be found at https://www.apfs.gov. There were no responses received as a result of the APFS posting.

(b) If an announcement is being planned for posting in Contract Opportunities, provide the estimated date of publication.
This Justification for Other Than Full and Open Competition will be posted to the Government-wide Point of Entry (GPE), via https://www.sam.gov with the combined synopsis solicitation that the USCG intends to award to Avionic Instruments, LLC on a sole source basis. Any capability statement, or quotation received will be considered prior to award and the Contracting Officer will make a determination to solicit the requirement based on limited competition, if appropriate.

(c) If an announcement will not be published, identify the applicable exception under FAR 5.202.
Not Applicable.

(d) If an announcement will be published after award, cite the applicable exception under FAR 6.305.
Not Applicable.

8. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable.

The Contracting Officer determines that the anticipated prices will be fair and reasonable in accordance with FAR 13.106-3. The prices will be determined fair and reasonable based on proposed pricing, prior Asset Maintenance Management Information System (AMMIS) history and current published price lists.

9. Description of Market Research.

(a) Describe the market research techniques used, results, date when the market research was conducted, and how it was used by the contracting officer to determine price reasonableness.
Market research techniques used consisted of reviewing AMMIS history database, the Government databases such as General Services Administration (GSA), Federal Logistics repository (FEDLOG) and FEDMALL were all reviewed and were determined out of scope for this requirement. The OEM is the only approved source to repair the inverters. The repair of the inverters is commercial in nature and is prevalent in private aviation and commercial aviation. All terms and conditions are not expected to differ from customary terms and conditions in the marketplace or standard Government practices.

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(b) (Section is required to be completed when the J&A includes the exception listed under FAR 25.103(b)(2) or FAR 25.202(a)(2)).
Not Applicable

(c) If market research was not conducted, state why.
Not Applicable

(d) If patents, copyrights, and/or intellectual property are applicable to the acquisition, describe the circumstances for acquiring a patented or copyrighted product on the representation of the intellectual property holder that has not been licensed for resale.
Not Applicable

10. Any Other Facts Supporting the Use of Other Than Full and Open Competition.

(a) An explanation why technical data packages, specifications, statement of work, or purchase descriptions are not suitable for full and open competition. Avionic Instruments, LLC, the OEM, is the only approved source for the repair of these inverters. Therefore, this requirement is not suitable for full and open competition. The technical data package, including drawings, specifications, manuals, and publications required to develop additional sources to repair these parts was not procured by the government and are proprietary to the OEM.

(b) Discuss why your requirement cannot be modified to enhance competition.
This requirement cannot be modified to enhance competition because the components and the subsequent technical data are not available from any distributor other than the OEM.

(c) For a proposed contract subject to the restrictions of FAR 6.302-2(d) or HSAR 3006.302-270 and where FAR 6.302-2 is cited as the authority, describe the exceptional circumstances allowing for an award for a period of performance in excess of the one-year limitation (applicable to all federal agencies) or the DHS-specific statutory 150-day limitation.
Not Applicable

(d) For a proposed contract subject to the restrictions of FAR 6.302-2(d) or HSAR 3006.302-270 and where FAR 6.302-2 is cited as the authority, describe the exceptional circumstances allowing for an award for a period of performance in excess of the one-year limitation (applicable to all federal agencies) or the DHS-specific statutory 150-day limitation.
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11. A Listing of the Sources, if Any, that Expressed, in Writing, an Interest in the Acquisition.

To date, no responses have been received by the Contracting Officer. Any responses received prior to the award of the procurement will be evaluated by the Contracting Officer.

12. A Statement of the Actions, if Any, the Agency May Take to Remove or Overcome Any Barriers to Competition Before Any Subsequent Acquisition for Supplies or Services Required.

(a) Will the Government revise overly technical specifications, acquire data rights, etc.? It is not economically feasible for the Government to purchase the OEM rights, technical data, etc. to repair these parts. However, the USCG ALC MRS still continues to check maintenance and repair web-based subscription services, alternate approved systems, and industry periodicals, and sends representatives to various aviation trade shows and conferences to seek out all possible legally achieved purchase/service options and sources.

(b) When a J&A is issued for the purposes of acquiring goods or services while a competitive procurement is being conducted, the justification should include a detailed timeline for completion of the competitive procurement. The period of performance for the sole source action should fairly balance the time needed to complete the competitive procurement. The focus should be on minimizing the need for additional sole source awards.
Not Applicable

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Signatures on File