JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION FOR SOLE SOURCE AND LIMITED COMPETITION

1. Agency: United States Air Force Contracting Activity: DLA Aviation at Oklahoma City

Document Identification Number: FD2030-19-00197 Solicitation Number: SPRTA1-19-R-0197

☒ FAR 15 ☐ FAR 12 ☐ FAR 13.5

2. The action being approved is the acquisition of supplies/services on other than a full and open competition basis.

☒ New Action ☐ Amendment: _____

3. The supplies/services required to meet the using activity's needs are described as follows:

BRIEF DESCRIPTION	NSN/PN	MAX QTY	EST. UNIT PRICE	ESTIMATED VALUE
BLADE SET,COMPRESSOR - TF33	NSN: 2840004399224 RV PN: 410033	2610 SETS	$[redacted]	$[redacted]
				$[redacted]
				$[redacted]

*If too numerous, attach list of NSNs and AMSC codes.

This Acquisition: Budget Code 97X4930

Type of Contract (may include number of base years) Firm-Fixed-Price, Fixed Quantity Base Year(s) N/A

☐ Will not include an option.

☐ will include option for increased quantity. Total estimated dollar value of option quantity is $_____.

☐ will include an option to extend the term of the contract for a period of months, exercisable in increments of months. Total estimated dollar value of all option periods is $_____.

The total estimated dollar value of this acquisition is: (inclusive of any options) $[redacted]

4. The statutory authority permitting other than full and open competition is 10 U.S.C. 2304(c)(1) – Available from only one or limited number of sources.

5. The acquisition is restricted to the only source(s) of supply known to have the capability of furnishing the required supplies/services. Source(s) are:

CAGE	COMPANY NAME
52661	UNITED TECHNOLOGIES CORP.
	DBA Pratt & Whitney

The use of authority 10 U.S.C. 2304(c)(1) is based on:

- ☐ AMC 1. Suitable for competitive acquisition for the second or subsequent time.
- ☐ AMC 2. Suitable for competitive acquisition for the first time.
- ☒ AMC 3. Acquire, for the second or subsequent time, directly from the manufacturer.
- ☐ AMC 4. Acquire, for the first time, directly from the manufacturer.
- ☐ AMC 5. Acquire directly from the sole source contractor, who is not the manufacturer.
- ☐ AMSC A. The Government's right to use data in its possession is questionable. This code is under review and will be updated when the review is complete.
- ☐ AMSC B. This must be acquired from a manufacturing source(s) specified on a source control drawing.
- ☐ AMSC C. This part required engineering source approval by the design control activity in order to maintain the quality of the part.
- ☐ AMSC D. The data needed to acquire this part is not economically available.
- ☐ AMSC H. The Government does not have sufficient, accurate, or legible data to purchase this part from other than the current source. This code is under review and will be updated when the review is complete.
- ☐ AMSC K. This part must be produced from class 1 castings under MIL-STD-2175.
- ☐ AMSC L. The annual buy value of this part falls below the screening threshold established by DoD.
- ☐ AMSC M. Manufacture of this part requires use of master or coordinated tooling.
- ☐ AMSC N. Manufacture of this part requires special test and/or inspection facilities to maintain function or system integrity
- ☒ AMSC P. The rights to use the data needed to purchase this part from additional source(s) are not owned by the Government and cannot be purchased, developed, or otherwise obtained.
- ☐ AMSC Q. The Government does not have adequate data, lacks rights to data, or both. It is not economical to buy the data or rights to the data.
- ☐ AMSC R. The Government does not own the data or rights to the data needed to purchase this part from another source. It is not economical to procure the data or rights to the data
- ☐ AMSC S. Acquisition of this item is restricted to Government approved source(s) because the item involves military sensitive technology.
- ☐ AMSC U. The cost to the Government to breakout this part and acquire it competitively has been determined to exceed the projected savings over the life span of the part.
- ☐ AMSC V. This part has been designated a high reliability part. Probability of failure would be unacceptable. The engineering activity has determined that data to define and control reliability limits cannot be obtained.
- ☐ AMSC Z. The design of this part is unstable. Engineering, manufacturing, or performance characteristics indicate that the required design objectives have not been achieved.
- ☐ Other: Additional Information/Explantion as Specified Below. (Info usually found in Section V of 13 part standard J&A)

Part Number 410033 is a highly specialized component of a major weapon system. The rights to use the data needed to purchase this part from additional sources is not owned by the Government and cannot be purchased, developed, or otherwise obtained.

Drawing 410033 is proprietary and the data rights are owned by Pratt & Whitney CAGE 77445. The Government attempted to purchase the data rights from Pratt & Whitney in 2012. A letter dated 3/15/2012 from Pratt & Whitney stated that the rights will not be sold.

Pratt & Whitney possesses the unique capabilities derived from knowledge and expertise gained through previous production of this item. Therefore, Pratt & Whitney is the only known source capable of providing the supplies described in Section 3 without the Government experiencing unacceptable delays and not fulfilling the agency's requirement.

6. Efforts to ensure that offers are solicited from as many sources as practicable are:

☐ The acquisition will be synopsized on or about_____and any firm requesting a solicitation copy will be provided one.

☐ A synopsis exception cited in FAR 5.202 applies: (Explain).

☐ Manufacturers of similar products identified in the market survey will be solicited.

☐ Dealers of the manufacturers will be solicited.

☒ Other: (Explain)

In accordance with FAR 5.201, this requirement shall be synopsized and the Request for Proposal will be posted to the Federal Business Opportunities website.

7. I hereby determine that the anticipated cost to the Government will be fair and reasonable. (Explain)

The contracting officer will complete a price analysis. If the proposed dollar amount exceeds the TINA threshold IAW FAR 15.403-4 , certified cost or pricing data will be required and a detailed cost analysis will be accomplished. Support from the Defense Contract Management Agency or the Defense Contract Audit Agency may be requested as appropriate to aid in evaluating the proposal.

8. A market survey as defined by FAR 10:

☒ was conducted, and firms indicating an interest in the acquisition will be solicited. Market research efforts, include.

Market research, in accordance with FAR Part 10, was conducted on 16 Aug 2018. A multi-functional team consisting of the Program Manager, Item Manager, Engineer, and Production Management Specialist conducted the research, which included inquiries of Internet sites including Haystack, Parts Manufacturer Approvals, Google, Thomas Register, and similar item manufacturer's websites. This research revealed that there is not a commercial item available to meet this requirement.

A Sources Sought Synopsis advising industry of the pending acquisition and soliciting inquiries from interested parties was posted to Federal Business Opportunities under PR number FD2030-19-00197 on 9 Aug 2018 and closed on 16 Aug 2018. The Government received no notice of interest from any potential sources.

☐ was not conducted due to:

9. Additional facts supporting other than full and open competition are:

☐ Based upon the technical certification on file, technical data is not available and cannot be developed to permit full and open competition. The data presently available reflects the minimum needs of the Government.

☐ When FAR 6.302-1 is cited for follow-on acquisitions as described in 6.302-1(a)(2)(ii), an estimate if the cost to the Government that would be duplicated and how the estimate was derived.

☒ Other:

Item is AMSC "P" coded. By definition, the Government does not own the data/distribution rights and it has been determined to be uneconomical to reverse engineer the item.

10. A listing of sources, if any, indicating an interest in writing in the acquisition are: (if none, state none)

CAGE	COMPANY NAME
	NONE

11. The actions, being taken to overcome barriers to competition before any subsequent acquisition are made: (Explain)

The AFLCMC/LPSEA engineering group will continue to monitor the marketplace for source development. The Government will continue to synopsize the requirement and rescreen the item.

APPROVAL

APPROVAL LEVELS OF THE JUSTIFICATION – FAR 6.304

☐ Not exceeding $700,000…… Contracting Officer

☒ Over $700,000 not exceeding $13,500,000…….. Competition Advocate

TECHNICAL/REQUIREMENTS PERSONNEL CERTIFICATION – FAR 6.302-2(c)

Supporting data that is the responsibility of technical or requirements personnel and which form the basis for this justification have been certified as complete and accurate by the cognizant technical/requirements Personnel. See attached signature page.

DLA COUNSEL AVIATION – DLAD 1.691(e)(ii)

DLA Counsel Aviation has reviewed this Form S53 and concluded it creates a legally sufficient justification for restricting competition pursuant to 10 U.S.C. 2304(c)(1) and FAR 6.302-1 in acquisitions for NSNs in the federal supply system.

CONTRACTING OFFICER – FAR 6.303-2(b)(12)

I hereby certify that the information contained in this justification is accurate and complete to the best of my knowledge and belief. If not exceeding $700,000, this signature serves as the approval.

Name and Title	Signature	Phone	Date
Christopher Lally, Contracting Officer	LALLY.CHRISTOPHER.M[redacted] Digitally signed by LALLY.CHRISTOPHER.M[redacted] Date: 2018.10.05 09:29:24 -05'00'	[redacted]	05-Oct-2018

COMPETITION ADVOCATE – FAR 6.304(a)(2)

The Competition Advocate for the procuring activity designated pursuant to FAR 6.501 has reviewed and approved this Justification for a proposed contract over $700,000, but not exceeding $13.5 million.

Name and Title	Signature	Phone	Date
BENJAMIN R. JONES	JONES.BENJAMIN.ROBERT F[redacted] Digitally signed by JONES.BENJAMIN.ROBERT F[redacted] Date: 2019.03.06 11:06:44 -06'00'	[redacted]	06-Mar-2019

COORDINATION [redacted]

Program Manager: [redacted] 14SEP 2018

DSN: [redacted] Office Symbol Date Signed

COM: [redacted] COURTNEY MASON

(Print Name)

PR#- FD2030-19-00195

New Manufacture of NSN: 2840-00-439-9235RV

I certify that the technical/engineering aspects of this "Justification for other than Full and Open Competition" are accurate and complete.

Engineer Signature: [redacted]

(Print Name) Jack Carroll Phone: [redacted]

Office Symbol AFCEMC ICPE Date Signed 9-17-2018