DEPARTMENT OF THE NAVY

NAVSUP WSS

5450 Carlisle Pike | PO Box 2020 | Mechanicsburg, PA 17055-0788

Justification for Other Than Full & Open Competition

1. Contracting Activity

Contracting Activity [redacted] **Type** A1

Folder # **PD #** N0010424U0861

Item Manager	Wineberg, Megan	**Work Function**	Planner	**Phone**	[redacted]	**Code** N96112.31
Technician	Greene, John	**Work Function**	Reprocurement Technician	**Phone**	[redacted]	**Code** N9652
Buyer	Ford, Derek	**Work Function**	Contract Specialist	**Phone**	[redacted]	**Code** N711.9

2. Description of the Action Being Approved

Description Negotiation and award of a contract through other than full and open competition.

3. Description of Supplies/Servies

This J&A covers the acquisition of the following

☑ Spares ☑ Repair/Overhaul ☐ Modification ☐ Management ☐ Piece Parts ☐ Data Report

Nomenclature See Attachment1_MK38 LTC **Quantity** [redacted]

NSN See Attachment1_MK38 LTC **Cage Code**

P/N See Attachment1_MK38 LTC **Unit Price** [redacted]

Option N **Option %** **Days**

Estimated Value [redacted]

Ship To

Period of Performance: Expected Final Delivery Date [redacted]

Line of Accounting [redacted]

4. Statutory Authority Permitting Other Than Full & Open Competition

This J&A is based upon the authority of 10 USC 3204(A) (1), only one or a limited number of responsible sources will satisfy agency requirements, as implemented by FAR 6.302-1

5. Rationale Justifying Use of Cited Authority

A/RMC 3

Acquire, for the second or subsequent time, directly from the actual manufacturer.

A/RMSC B,R

This part must be acquired from/repaired by a source(s) specified on a source control or selected item drawing as defined by the current version of DoD-STD-100. Suitable technical data, Government data rights, or manufacturing/repair knowledge are not available to permit acquisition from/repair by other sources, nor qualification testing of another part, nor use of a second source part in the intended application. Although, by DoD-STD-100 definition, altered and selected items shall have an adequate technical data package, data review discloses that required data or data rights are not in Government possession and cannot be economically obtained. If one source is available, A/RMCs 3, 4, or 5 are valid. If at least two sources exist, A/RMCs 1 or 2 are valid.

The Government does not own the data or the rights to the data needed to purchase / contract repair of this part from additional sources. It has been determined to be uneconomical to buy the data or rights to the data. It is uneconomical to reverse engineer the part. This code is used when the Government did not initially purchase the data and/or rights. If only one source has the rights or data to manufacture/repair this item, A/RMCs 3, 4, or 5 are valid. If two or more sources have the rights or data to manufacture/repair this item, A/RMCs 1 or 2 are valid.

This acquisition will be solicited to

Based on the market research performed by the technical advocate, it is concluded that the only source of supply/repair is BAE SYSTEMS LAND & ARMAMENTS L.P. (CAGE: 064S4) (CAGE: 44114) because they are currently the only source capable of satisfying this requirement. BAE SYSTEMS LAND & ARMAMENTS L.P. (CAGE: 064S4) (CAGE: 44114) is the only known source that has/owns the data, and it has been deemed uneconomical to pursue the acquisition of the data because the data and its content are not available. There are no authorized substitutes of these items as these is the only items known to meet performance and compatibility requirements within the higher assemblies. Furthermore, there is no data to support an open and full competition. The source listed above, who is the OEM, maintains the design and repairs standards via design drawings, repairs procedures, and quality assurance procedures.

6. Description of Efforts Made To Solicit Offers From as Many Offerors as Practicable

15 MAR 2019 Class Waiver of the Requirement to Post a Request for Information or Sources Sought Notice applies to this requirement

The proposed contract action was synopsized on the government-wide point of entry on 08/05/2024

and as a result [redacted]

Market research was conducted in accordance with far part 10. The results of the market research conducted (or the reason(s) market research was not conducted) are as follows

A technical review, which consisted of searching several Government databases including ITIMP, FLIS and ERP, have been completed on these items. Search criteria included Part Number, Design Control Activity, Cage Code, NSN, Nomenclature, AMC/AMSC, AAC, Criticality Coding, recorded approved sources of supply, historical sources of supply and past contracts. Based on this market research the contracting officer has determined that the only known manufacturing/repair source is BAE SYSTEMS LAND & ARMAMENTS L.P. (CAGE: 064S4) (CAGE: 44114). If a company other than the one listed believes they have compatible products, they can submit the items to the Engineering Program Office, to include research and development, drawings and test specifications. The program office will test and evaluate the items at the company's expense. Upon qualification, the approved company will be able to participate in future solicitations. ITIMP- Reviewed award history and other potential sources of supply, AMC/AMSC code, part number, CAGE code. ERP- Search criteria included part number, design control activity, Cage code, NSN, Nomenclature, AMC/AMSC, AAC, Criticality Coding which all matched with ITIMP NSEDR- No drawings available. LMS 21- Reviewed CCF data, source of supply, part number, registered users and requirements. Market research did not reveal or identify any known distributors.

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

To promote competition, NAVSUP WSS will continue to encourage vendors with the expertise to manufacture/repair 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 on the government-wide point of entry. For reasons set forth in Paragraph (5 & 6), NAVSUP WSS has no plans at this time to compete future contracts for the subject item covered by this document. If another potential manufacturing source emerges, NAVSUP WSS will assess whether competition for future requirements is feasible. Also, future requirements will be advertised on the government-wide point of entry.

Previous J&A	Previous J&A Attached

9. Any Other Facts Supporting Other Than Full & Open Competition

N/A

History

Created By	John Greene [redacted]	**Work Function**	Reprocurement Technician	**Created Date**	05/16/2024 16-MAY-24

I certify that the facts and representations under my cognizance which are included in this J&A are complete and accurate to the best of my knowledge and belief

Requirements Cognizance Signature	Megan Wineberg [redacted]	**Work Function**	Planner	**Requirements Cognizance Signature Date**	05/16/2024

I certify that the facts and representations under my cognizance which are included in this J&A are complete and accurate to the best of my knowledge and belief

Technical Cognizance Signature	John Greene [redacted]	**Work Function**	Reprocurement Technician	**Technical Cognizance Signature Date**	06/26/2024

As of this date, I confirm KO has reviewed the information contained in this J&A and determined sufficient for purposes of processing/ completing Small Business Coordination Record DD2579

KO Review for Small Business Concurrence	Jennifer Morrison [redacted]	**Work Function**	Supervisor	**KO Review for Small Business Concurrence Date**	07/01/2024

I certify that this J&A is accurate and complete to the best of my knowledge and belief

Contracting Officer Certification Signature	Jennifer Morrison [redacted]	**Work Function**	Supervisor	**Contracting Officer Certification Signature Date**	02/19/2025

I certify that the facts and representations under my cognizance which are included in this J&A are complete and accurate to the best of my knowledge and belief

Competition Advocacy Review	Adam Johnson J[redacted]	**Work Function**	Competit on Advocate	**Competition Advocacy Review**	02/25/2025

And Concurrence Signature	**And Concurrence Signature Date**

I certify that this J&A is legally sufficient to the best of my knowledge and belief

Legal Sufficiency Review Signature	Thomas Workman [redacted]	**Work Function**	Attorney	**Legal Sufficiency Review Signature Date**	02/27/2025

I certify that this J&A is accurate and complete to the best of my knowledge and belief

Approval Required By Far 6.304 Signature	Adam Johnson [redacted]	**Work Function**	Competition Advocate	**Approval Required By Far 6.304 Signature Date**	03/03/2025