



Currently WVA is short materials to meet urgent [REDACTED] demands [REDACTED]

[REDACTED]

The only successful past producer of the [REDACTED] Muzzle Brake Forging is Scot Forge Company. Scot Forge Company successfully provided these same Muzzle Brake Forgings on one previous contract with Benet Labs dating back to 2019, DOTC 1801 Init 0362 for five each.

Under normal procurement procedures using full and open competition, the standard Procurement Acquisition Lead Time (PALT) for this type of material would be 150 days. It would then take 8-to-12-months for delivery, totaling 510 days. That does not include any pre-award survey that would be required from any contractor who has not produced this item which would add approximately 45 days to the process. Due to the complexity of this part, any manufacturer who has not produced this item would be required to submit First Article Test Samples for approval prior to the start of production, adding another 4-to-5 months for delivery and 30 days for testing.

[REDACTED]

[REDACTED] Scot Forge Company is in a unique position to manufacture these Muzzle Brake Forgings with an accelerated delivery as it already possesses the necessary technology, tooling, fixtures, and industrial knowledge to successfully manufacture the part to the current Technical Data Package (TDP). Scot Forge is ready to procure the raw material needed and would be able to start making production deliveries in August 2023. [REDACTED]

[REDACTED]

[REDACTED]

6. **Efforts to Obtain Competition:**

- a) **Effective Competition:** Competition will be restricted to Scot Forge Company in this instance as it is the only proven supplier who can provide these Muzzle Brake Forgings on an expedited basis. Due to the urgency of this requirement, a synopsis and publication in the System for Award Management (SAM) will be waived in accordance with FAR 5.202(a)(2).
- b) **Subcontracting Competition:** Scot Forge is a small business therefore no subcontracting plan is required.

7. **Actions to Increase Competition:** Due to the urgency and demand for these Muzzle Brake Forgings, no competitive procurement will be issued at this time. The Government has determined that this contract does not exceed the time necessary to meet the immediate urgent requirement for this product. [REDACTED]

[REDACTED] As previous history has shown, it takes between 8 – 12 months to receive production quantities of similar items. The current requirement for 79 each will be procured from Scot Forge under the authority cited in paragraph four above, with deliveries starting within seven months.

8. **Market Research:** Market research was conducted by the WVA Program Manager and this office in December 2022 for this item. The market research was based on previous procurements for this Muzzle Brake Forging which provided the basis that available sources could satisfy the requirements (FAR 10.001(3)(i)).

9. **Interested Sources:** No others have written to express interest.

10. **Other Facts:**

a) **Procurement History:**

- 1) DOTC 1801 Init 0362 was awarded to Scot Forge Company by Benet Labs in July 2019 for five (5) each Muzzle Brake Forgings, per drawing 11583670, Revision Initial Release.

This prior contract was placed on a non-competitive basis.

Authority Cited: FAR 13.106-1(b), Soliciting from a Single Source.

The prior action was not accomplished using full and open competition.

No unusual patterns have been revealed by a review of the procurement history.

Competition was limited to Scot Forge Company via a modification to a prototypes

contract.

- b) Other Facts: There are no other facts necessary to justify limiting competition that were not previously stated.

**11 / 12. Technical Certification/ Requirements Certification:** I certify that the supporting data under my cognizance which are included in this J&A are accurate and complete to the best of my knowledge and belief.

Name: John J. Bianchi

Date: February 01, 2023

Title: WVA Deputy Director of Production  
& Operations

//s// JJB

13. **Fair and Reasonable Cost Determination:** I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable based on price analysis. Certified cost or pricing data will not be obtained IAW FAR 15.403-1(c) (3).

Type Name: Nicholas S. Ventresca

Date: February 02, 2023

Title: Contracting Officer

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14. **Contracting Officer Certification:** I certify that this justification is accurate and complete to the best of my knowledge and belief.

Type Name: Nicholas S. Ventresca

Date: February 02, 2023

Title: Contracting Officer

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## APPROVAL

Based on the foregoing justification, I hereby approve the procurement of Muzzle Brake Forging, per Drawing 11583670, Revision Initial Release, for the [REDACTED], in the estimated total amount of \$10,350,843.00, on an other than full and open competition basis pursuant to the authority of 10 U.S.C. 3204(a)(2), as implemented by FAR 6.302-2, "Unusual and Compelling Urgency," subject to the availability of funds, and provided that the services and property herein described have otherwise been authorized for acquisition.

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Rachel Capaldi  
Command Advocate for Competition