

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

1. Agency: Defense Logistics Agency Contracting Activity: DLA-AHCB

Document Identification Number: D13H0004D1 Solicitation Number: SPRRA2-22-R-0019



FAR Part 15



FAR Part 12



FAR Part 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	QUANTITY	ESTIMATED VALUE
Delay Line	5999-01618-4988/13646142-6	50 each	████████

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

This acquisition:

4. Type of Contract (may include number of base years) One Time Buy



will not include an option.



will include a _____% 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 maximum dollar value of all option periods is \$ _____.

The total estimated dollar value of this acquisition is: (inclusive of any options) ██████████. The maximum dollar value of this acquisition is: (inclusive of any options) ██████████.

5. 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.

6. Efforts to improve DoD Competition in accordance with DFARS 206.303-2:



A sources sought notice or Request for Information (RFI) in accordance with DFARS PGI 206.302-1(d) was posted in Contract Opportunities on 23 November 2022. Results of the sources sought notice/RFI resulted in the following:

NO RESPONSE



A mass sources sought notice which included NSN(s) _____ was posted to Contract Opportunities on _____. Date must be most current Contract Opportunities posting (i.e., within a six month period). If too numerous, attach list of NSNs.



A waiver of sources sought notice/RFI was approved by the HCA or designee on _____ and is hereby attached.

7. 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
6Y858	MICROSEMI CORP.-RF SIGNAL PROCESSING

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 Y. The design of this part is unstable. Engineering, manufacturing, or performance characteristics indicate that the required design objectives have not been achieved.
- ☐ AMSC Z. This part is a commercial/no-developmental/off-the-shelf item.
- ☐ Other: _____

NOTE: A technical certification is required for acquisitions over \$15 million

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



The acquisition will be synopsisized on or about 14 December 2022 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) _____

Sources Sought was published on 23 November April 22 with a response date of 29 November 22; NO RESPONSES

9. I hereby determine that the anticipated cost to the Government will be fair and reasonable. (Explain) _____ The overall cost of this acquisition will be fair and reasonable to the

Government IAW FAR 15.403-4, the contractor will be required to provide certified cost and pricing data to be used in supporting the Government's evaluation of the proposed cost. The proposed skill mix of labor, labor hours & quantities of material, other direct cost and direct

and indirect rates will be negotiated by the Government based on recommendations from DCMA and expert technical personnel supporting the program. The contract price will be negotiated IAW the procedures in FAR Part 15 ensuring the ultimate cost to the Government is fair and reasonable.

10. 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 as defined by FAR 10.001 was conducted based on knowledge of individuals within the requirements community. This item

Competition Advocate Shopping List Date is 30 September 2018. IAW DLA Broadcast Acquisition Memorandum (BAM) 2015-27 published

12 June 15, Contracting Officers are required to issue a Request for Information (RFI) for Sources Sought with the J&A when acquiring supplies

from only or a limited number of responsible sources.



was not conducted due to: _____

11. 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 substantial duplication of costs in the case of a follow-on acquisition as described in 6.302-1(a)(2)(ii)(A), an estimate if the cost to the Government that would be duplicated and how the estimate was derived: _____



When FAR 6.302-1 is cited for unacceptable delays in the case of a follow-on acquisition as described in 6.302-1(a)(2)(ii)(B), describe the unacceptable delays: _____



Other: AMSC 3B, acquire, for the second or subsequent time, directly from the manufacturer. This part must be acquired from a manufacturing source(s) specified on a source control or selected item drawing as defined by the current version of DoD-STD-100.

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

CAGE	COMPANY NAME
NONE	NONE

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

Firms are encouraged to seek source approval in order to compete for future solicitations by accessing the website http://amcomdmz.redstone.army.mil/casl_cmo/casl_cmo_home and looking under Standardized Aviation and Missile Source Approval Request (SAMSAR). Currently, there are no outstanding qualification requests on this item; however, this is a continuous method of identifying potential new sources of supply. It has been determined that the Government's need cannot be met by an item available in the commercial marketplace; therefore, FAR Part 12 will not be used. This is a spare part procured to an approved part number and is a military unique requirement not available in the commercial market place. As a result of the Sources Sought, no response has been received.

APPROVAL

APPROVAL LEVELS OF THE JUSTIFICATION – FAR 6.304

- ☐ not exceeding \$750,000..... Contracting Officer
☒ over \$750,000 not exceeding \$15,000,000... Competition Advocate
☐ over \$15,000,000 not exceeding \$100,000,000..... Head of Contracting Activity

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. Signature of technical/requirements personnel is not required.

DLA COUNSEL AVIATION – DLAD 1.691(e)(3)(i)

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 for sole source tactical acquisitions for NSNs in the federal supply system at or below \$15 million. **For acquisitions above \$15 million, signature of the Aviation Deputy Chief Counsel is required to document legal sufficiency:**

Name and Title	Signature	Phone	Date
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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 \$750,000, this signature serves as the approval.

Jean Paul Bretz, Contracting Officer	BRETZ.JEAN.PAU Digitally signed by BRETZ.JEAN.PAU Date: 2023.04.12 07:01:22 -05'00'		4/12/2023
Name and Title	Signature	Phone	Date

COMPETITION ADVOCATE – FAR 6.304(a)(2)

The Competition Advocate for the procuring activity designated pursuant to FAR 6.501 has reviewed and hereby certify that the information contained in this justification is accurate and complete to the best of my knowledge and belief. If over \$750,000, but not exceeding \$15 million this signature serves as the approval.

Nikki Hendrix, Competition Advocate	HENDRIX.NIKKI.M Digitally signed by HENDRIX.NIKKI.M Date: 2023.04.13 09:22:31 -05'00'		4/13/2023
Name and Title	Signature	Phone	Date

HEAD OF CONTRACTING ACTIVITY – FAR 6.304(a)(3)

The Head of Contracting Activity has reviewed and approved this Justification for a proposed contract over \$15 million, but not exceeding \$100 million.

Name and Title	Signature	Phone	Date
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