

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
SOLICITATION NO. HSCG38-08-Q-010015
CASA GE A/C Engine Tools and Equipment

Pursuant to the requirements of Section 4202 of the Clinger-Cohen Act (test program for commercial items) as implemented by Federal Acquisition Regulation (FAR) 13.500, this justification for other than full and open competition is supported by the following facts and rationale in the format described at FAR 6.303-2:

(1) Agency and Contracting Activity. Identification of the agency and the contracting activity, and specific identification of the document as a Justification for other than full and open competition.

The United States Coast Guard, Aircraft Repair and Supply Center (ARSC), HC-144 Product Line, Elizabeth City, North Carolina, proposes to enter into a contract on the basis of other than full and open competition with the respective Original Equipment Manufacturer (OEM) for tools and equipment in support of the maintenance and repairs concerning the GE CT7-9C3 aircraft engines.

(2) Nature and/or description of the action being approved.

The U.S. Coast Guard HC-144 Product Line, Aircraft Repair and Supply Center (ARSC), Elizabeth City, NC has a requirement on a sole source basis to purchase tools and equipment in support of the maintenance and repairs concerning the GE CT7-9C3 aircraft engines. ARSC seeks approval for a J&A to procure aforementioned material on a sole source basis from the OEM listed below.

(3) Description of the supplies/services.

Procure tools and equipment in support of the maintenance and repairs concerning the GE CT7-9C3 aircraft engines from General Electric Corporation, 1000 Western Avenue, Building 63, Lynn, MA 01910-0445.

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

The statutory authority permitting other than full and open competition is 10 USC 2304(c)(1) implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

(5) Demonstration That the Nature of the Acquisition Requires Use of the Authority Cited.

The Coast Guard does not own the rights to the technical manuals, publications or data as these are proprietary to GE Corporation OEM). Using materials from other than the OEM would compromise the integrity of the aircraft and would void any existing warranties.

(6) Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

The Coast Guard intends to establish a New Product Development Branch to pursue additional sources of supply for materials. However at this time the Coast Guard does not have data rights.

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

It is the Contracting Officer's opinion that prices offered will be fair and reasonable based on comparisons of the commercial published price lists by the OEM, cost comparison with similar items in the commercial market place and analysis on other than cost and pricing data.

(8) Description of the Market Research.

General Electric Corporation, the aircraft engines OEM, owns the manuals, publications and data. The Coast Guard does not have any rights to technical data. At this time, the GE CT7-9C3 aircraft engine tools and equipment for the maintenance and repairs is considered sole source.

(9) Any Other Facts Supporting the Use of Other Than Full and Open Competition.

The Coast Guard does not own the data rights and does not anticipate purchasing these data rights. Therefore, it would be difficult to take steps to foster competition as the manufacturing performance and acceptance data are proprietary and the Coast Guard does not have adequate technical data to provide to potential offerors at this time.

(10) A listing of the Sources, if Any, That Expressed in Writing, an Interest in the Acquisition.

A combined synopsis/solicitation will be issued for this requirement upon approval by the Coast Guard legal office.

(11) 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.

The Coast Guard does not own the data rights and does not anticipate purchasing the data rights. Therefore, it would be difficult to take steps to foster competition as the manufacturing performance and acceptance data are proprietary and the Coast Guard does not have adequate technical data to provide to potential offerors. The HC-144 Product Line will be merged with the HU25 Product Line in the near future to form a Medium Range Aircraft Product Line. This Product Line will be responsible for developing new sources for the HU25 aircraft as well as the HC-144 aircraft. The Coast Guard plans to establish a New Product Development Branch (NPD) to pursue additional sources of supply. A representative of the NPD Branch will locate alternate sources of supply and alternate acceptable products. Engineering, contracting and NPD will continuously conduct market research to ensure that companies interested in doing business with the USCG are given every opportunity to compete for our requirements.

Signature on file

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(12) Contracting Officer Certification.

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

WADE JOHNSON
Contracting Officer

DATE

Technical/Requirements Personnel Certification.

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

CWO Kevin Barrick
Technical Representative

DATE

APPROVAL:

WADE JOHNSON
Contracting Officer

DATE