

**Justification Review Document
For Other than Full and Open Competition – FAR Part 6**

Program/Equipment: The Fixed Wing Project Office (FWPO) Foreign Military Sales (FMS) group has a requirement to procure [REDACTED] Cessna C-208B EX Grand Caravan Aircraft, published options, aircraft spares, program management, publications, training and airworthiness package for th [REDACTED]

Authority: 10 U.S.C. 3204(a)(1) as implemented by Federal Acquisition Regulation (FAR) Part 6.302-1(a)(2)(ii)(A), Substantial duplication of cost to the Government that is not expected to be recovered through competition.

Amount [REDACTED]

Prepared by:

[REDACTED]

[REDACTED]
[REDACTED]

Contracting Officer:

[REDACTED]

Technical Representative:

[REDACTED]

Requirements Representative:

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Reviews

I have reviewed this justification and find it adequate to support other than full and open competition.

Program Manager

[REDACTED]

**Justification and Approval
for Other than Full and Open Competition – FAR Part 6**

1. Contracting Activity: Department of the Army Contracting Command – Redstone (ACC-RSA), CCAM-ARB, Redstone Arsenal, AL 35898-5000.

2. Description of Action: The FWPO of Program Executive Office (PEO) Aviation, requests approval to procure [REDACTED] Cessna C-208B EX Grand Caravan Aircraft, published options, aircraft spares, program management, publications, training and airworthiness package for t [REDACTED] under Foreign Military Sales (FMS) Letter of Offer and Acceptance (LOA) DV-B-ULT. The resulting firm fixed price (FFP)

[REDACTED] The Government projects award [REDACTED] and will utilize Building Partnership Capacity (BPC) funds IAW 10 U.S.C. Sec. 333. The period of performance (POP) for this contract is 12 months from the date of contract award.

3. Description of Supplies/Services: This action is for the procurement o [REDACTED] Cessna C-208B EX Grand Caravan Aircraft, published options, aircraft spares, program management, publications, training and airworthiness package for the [REDACTED] with an estimated total value [REDACTED]

4. Authority Cited: The statutory authority permitting other than full and open competition is 10 United States Code (U.S.C.) 3204(a)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1(a)(2)(ii)(A), Substantial duplication of cost to the Government that is not expected to be recovered through competition.

5. Reason for Authority Cited: As described at FAR 6.302-1(a)(2)(ii)(A), when supplies or services required by the agency are available from only one responsible source and noother types of supplies or services will satisfy agency requirements, full and open competition need not be provided for. This requirement will be satisfied by awarding a new contract [REDACTED]

[REDACTED] by the US Government for th [REDACTED] holds all licenses, copyrights, patents, intellectual property rights, and Type Certificate Data Sheet for the Cessna C-208B EX Grand Caravan Aircraft, which are only offered by way of factory-direct sales. It would be cost prohibitive for the Government to acquire the licenses, copyrights, patents, intellectual property rights, and Type Certificate for the Cessna C-208B EX Grand Caravan Aircraft and establish the necessary production facilities. The Government has previously tried to acquire the rights to produce oth [REDACTED] aircraft and was denied. If the Government were to design and develop its own aircraft to meet the capabilities of the Cessna C-208B EX Grand Caravan Aircraft and establish the necessary production facilities to manufacture these aircraft, it is estimated that it would take a few years and an investment in excess [REDACTED]. Because of the limited number of Cessna C-208B EX Grand Caravan required for FMS, the Government would not recoup these costs. In summary, no other viable sources for procuring the Cessna C-208B EX Grand Caravan Aircraft exist.

6. Efforts to Obtain Competition:

a. Effective competition. No effective competition is anticipated for this acquisition. [REDACTED] is the OEM and sole-source supplier of the Cessna C-208B EX Grand Caravan Aircraft, which is the aircraft directed by the US Government for this FMS case. [REDACTED] holds all licenses, copyrights, patents, intellectual property rights, and Type Certificate Data Sheet for the Cessna C-208B EX Grand Caravan Aircraft, which are only offered by way of factory-direct sales. The notices required by FAR 5.201 have been published, and any bids or proposals received will be considered.

b. Subcontracting competition. The Government will ensure that the contractor obtains competition in subcontracting to the maximum extent possible by including FAR clauses 52.219-8, "Utilization of Small Business Concerns," and FAR 52.244-5, "Competition in Subcontracting," in the contract. In accordance with FAR 52.219-9, "Small Business Subcontracting Plan [REDACTED] will be required to furnish a subcontracting plan, which will be evaluated and negotiated, as appropriate.

7. Actions to Increase Competition: This is a sole-source commercial aircraft, manufactured [REDACTED] aircraft is being purchased from the production line; therefore, no action will be taken to increase competition, for this item.

8. Market Research: Market research was conducted IAW FAR Part10, for this acquisition. Techniques utilized included personal knowledge in procuring supplies and/or services of this type, contact with knowledgeable persons in the Government, and reviewing the results of recent market research undertaken to meet similar or identical requirements. Market Research Report/Commerciality Determination [REDACTED] was completed [REDACTED] and revised [REDACTED]. It was determined that [REDACTED] is the OEM, sole manufacturer, and holder of all licenses, copyrights, patents, intellectual property rights and Type Certificate Data Sheet of the C-208B EX Grand Caravan Aircraft. The C-208B EX Grand Caravan Aircraft is only offered new through factory-direct sales from [REDACTED]. Procuring the C-208B EX Grand Caravan Aircraft from other sources would result in additional cost, time, and potential warranty issues.

9. Interested Sources: A Sources Sought announcement was published for the FWPO FMS aircraft [REDACTED]. The C-208B EX Grand Caravan was included in the list of aircraft in the Sources Sought announcement. Six (6) contractors responded to the Sources Sought. They are as follows:

[REDACTED]

To date, no other sources have written to express interest in the acquisition. The other sources who responded to the Sources Sought announcement were rejected because [REDACTED] provided a Manufacturer's Letter date [REDACTED] stating that [REDACTED] is the OEM, sole manufacturer, and holder of all licenses, copyrights, patents, intellectual property rights and Type Certificate Data Sheet of the C-208B EX Grand Caravan Aircraft. The C-208B EX Grand Caravan Aircraft is only offered new through factory-direct sales from [REDACTED]. Procuring the C-208B EX Grand Caravan Aircraft from other sources would result in procuring used aircraft, additional cost, time, and potential warranty issues.

10. Other Facts:

a. Procurement history. Contract [REDACTED] being negotiated, for the purchase of [REDACTED]-208B EX Grand Caravan. This non-competitive acquisition was source directed to [REDACTED] per LOA BH-B-VCH, date [REDACTED] for the country of [REDACTED] International agreement.

11. Technical Certification:

[REDACTED]

12. Requirements Certification:

[REDACTED]

13. Fair and Reasonable Cost Determination:

I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable. This determination will be made using the following techniques: Commercial Item Determination, Commercial Price verification by Defense Contract Management Agency, historical prices, Independent Government Estimate (IGE), and Technical Evaluation. As part of this basis, certified cost or pricing data will not be required, when a commercial product or commercial service is being acquired, IAW FAR 15.403-1(h)(3).

[REDACTED]

14. Contracting Officer Certification:

[REDACTED]

Approval

Based on the foregoing justification, I hereby approve the procurement [REDACTED] Cessna C-208B EX Grand Caravan Aircraft, published options, aircraft spares, program management, publications, training and airworthiness package for [REDACTED]

[REDACTED] n other than full and open competition basis, pursuant to the authority of 10 U.S.C. 3204(a)(1), as implemented by FAR 6.302-1(a)(2)(ii)(A), Substantial duplication of cost to the Government that is not expected to be recovered through competition. This effort is subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for acquisition.

[REDACTED]