[redacted]

Control Number: ARC-J&A25-2009

Justification Review Document
for Other than Full and Open Competition – FAR Part 6
Risk Level: Low

Program/Equipment: Product Manager (PdM) Air Warrior (AW) requests approval to award a new five-year (60 month) Indefinite Delivery/Indefinite Quantity (IDIQ) for other than full and open competition basis to Gentex Corporation, 324 Main Street, Simpson, PA 18407, Cage Code: 97427. The contract will include provisions for Firm Fixed Price (FFP) procurement of Head Gear Unit (HGU)-56/P Apache Helmet Assemblies (AHA) and HGU-56/P Rotary Wing Helmets (RWH), and associated parts for USG and Foreign military Rotary Wing Aviation.

Authority: 10 United States Code (U.S.C.) 3204(a)(1) as implemented by Federal Acquisition Regulation (FAR) 6.302-1(a)(2)(ii)(A) –Only one responsible source and no other supplies or services will satisfy agency requirements due to substantial duplication of cost to the Government that is not expected to be recovered through competition.

Amount: Total **Value:** [redacted]

Prepared by:
[redacted]

Procuring Contracting Officer:
[redacted]
Email: [redacted]

Technical Representative:
Name: [redacted]
Title:
Email:

Requirements Representative:
Name [redacted]
Title:

Email

[redacted]

[redacted]

[redacted]

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

Product Manager:

Name: [redacted] DSN: [redacted]

Signature: [redacted] Date: 4/1/25

Legal Counsel:

Name [redacted]

Signature: [redacted] Date: _____

Command Advocate for Competition:

Name: [redacted] DSN: [redacted]

Signature: [redacted] Date: _____

[redacted]

[redacted]

JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION – FAR Part 6

1. **Contracting Agency**: Department of the Army Contracting Command-Redstone (ACC-RSA), CCAM-ARC, Redstone Arsenal, Alabama 35898-5280.

2. **Description of Action**: PdM AW requests approval to award a new five-year IDIQ contract for other than full and open competition to Gentex Corporation, 324 Main Street, Simpson, PA 18407, Cage Code: 97427. This anticipated contract is estimated at a total value of [redacted]. The Contract will provide the capability to procure a quantity up to [redacted] AHA and up to [redacted] RWH for Army Aviation, along with associated parts. PdM AW will use FFP Contract Line-Item Numbers (CLINs) for each individual delivery order issued under the IDIQ contract. The Government projects award for January 2026. PdM AW will use the following types of funds in relation to this contract in direct or indirect coordination with other Department of Defense (DoD) agencies and AHA/RWH stakeholders: Aircraft Procurement Army (APA), Operations and Maintenance, Army (OMA), and Foreign Military Sales (FMS). FMS customer(s) and case number(s) are to be determined.

3. **Description of Services and Supplies**: PdM AW intends to carry out this new IDIQ contract to manufacture up to [redacted], 1[redacted] RWH, and associated parts listed below. This equipment will support continued fielding of the AHA and RWH to Army Aviation units, support students at the Army Aviation Center of Excellence, and support FMS partners. The AHA is a sub-assembly of the Apache Aviator Integrated Helmet (AAIH), is based on the HGU-56/P, and is used by all AH-64E pilots. The AHA has become a unique piece of equipment through improvements to the original HGU-56/P AHA helmet design via Engineering Change Proposals (ECP)s. Part of this procurement is in support of the Apache Block III program and will provide AH-64E fielding assets as well as training assets. The RWH is also based on the HGU-56/P but includes a new suspension system, modification of the liner to allow wider field-of-view for the wearer, and removal of items that are no longer used by the aircrew member. The estimated quantities and values by ordering period for AHA (Table 1) and RWH (Table 2) are below.

[redacted]

[redacted]

[redacted]

Table 2. Estimated quantities and values by ordering period, RWH

4. **Authority Cited**: The authority permitting other than full and open competition is 10 U.S.C. 3204(a)(1), as implemented by FAR 6.302-1(a)(2)(ii)(A), Only one responsible source and no other supplies or services will satisfy agency requirements due to substantial duplication of cost to the Government that is not expected to be recovered through competition.

5. **Reason for Authority Cited**: The proposed source for this planned contract action is Gentex Corporation, 324 Main Street, Simpson, PA 18407, Cage Code: 97427. Gentex has the relevant experience, proprietary design rights, possession of necessary special tools and test equipment, existing AHA/RWH production facilities, and is the only source currently capable of fulfilling this requirement in a manner that supports the current fielding plan within the existing funding constraints. No other existing solution fully satisfies this requirement, and alternative solutions would require additional development, testing, and qualification. Purchasing the IP rights from Gentex and then qualifying a second vendor would cost [redacted] The associated schedule would push the first article test 16-18 months to the right, with a delay to full rate production of 18-24 months. Gentex Corporation owns the proprietary technical data for the AHA and RWH, and no other contractor has access to their proprietary data.

a. Gentex is the original equipment manufacturer (OEM), developer, and sole supplier of the AHA and RWH flight helmets and owns the Technical Data Package (TDP) for both. Gentex possesses unique knowledge, skills, and in-depth understanding of the design and operation of the AHA and RWH helmets and spare parts. Gentex has utilized their own internal funding to develop improvements to both original HGU-56/P AHA and HGU-56/P RWH helmet designs resulting in the current AHA and RWH. The Government does not own the design of the AHA nor RWH. Gentex has manufactured the AHA and RWH in the past and has demonstrated that they have the expertise and capacity to successfully meet the Government requirements. The USG has contracted with Gentex on a sole source basis many times over the years for both the AHA and RWH separately, including as recently as 2019 (for RWH) and 2017 (for AHA), this new contract will be the first time the RWH and AHA are together on the same contract.

b. The AHA was initially awarded through limited competition to Gentex under contract W58RGZ-17-D-0070 on 30 June 2017. This contract was based on a Justification and Approval (J&A) approved 13 December 2016. Elbit Systems of America (ESA) was part of the limited competition for the AHA and owned the intellectual property (IP) rights to a single component of the AHA, the spherical visor. Gentex internally funded the development of a spherical visor after quality issues with the Elbit visor were found during the first year of production. The Gentex variant was determined to meet the visor specifications at a lower cost and was codified in ECP AV-16123. ECP AV-16123 was approved by the Government in 2023. Gentex is the developer and sole supplier of the AHA and owns the

Technical Data Package (TDP) for the AHA design to include their own version of the spherical visor, part number 13473-X.

6. **Efforts to Obtain Competition:** A Sources Sought/Request for Information (SS/RFI) for this AHA/RWH requirement was issued on 10 December 2024. Only the incumbent, Gentex Corporation, responded to the RFI with a fully compliant solution that met all requirements of the RFI. Only the OEM or passthrough vendors would be capable of fully meeting the Government's requirements due to the IP data associated with the AHA and RWH. The SS/RFI shall be synopsized on or about 28 April 2025 IAW FAR 5.201.

Subcontracting Competition**.** The contract will include applicable FAR provisions ensuring competition in subcontracting, including FAR 52.244-5, "Competition in Subcontracting," FAR 52.219-8, "Utilization of Small Business Concerns," and DFARS 252.219-7004, "Small Business Sub-Contracting Plan Test Program".

7. **Actions to Increase Competition**: Market research was conducted to determine if multiple sources of supply were available. A Request For Information (RFI) was open for 30 days to allow potential manufacturers to respond. Gentex was the only vendor deemed responsive to the RFI. The US Government does not own the data rights to the AHA nor RWH. Through market research and analysis, it is determined that establishing a second source of supply would constitute a substantial duplication of cost. The actions needed to increase competition would not result in benefit to the USG. Purchasing IP rights from Gentex and then qualifying a second vendor would not result in any savings and would most likely substantially augment overall expenditures. Increased cost and schedule due to unique knowledge, skills, and in-depth understanding of the design and operation of the AHA and RWH helmets and spare parts and the lack of technical documentation owned by the Government for currently fielded items makes Gentex the only source capable of satisfying the Government's immediate requirements under this contract.

8. **Market Research**: Product Manager Air Warrior conducted market research in accordance with FAR 10.002. The Market Research Report/Commerciality Determination (MRR/CD) was signed 25 February 2025. In accordance with the Defense Federal Acquisition Regulation Supplement (DFARS) 205.205-71, DFARS 206.302-1(d), and DFARS Procedures, Guidance, and Information (PGI) 206.302-1(d), a request for information was posted to SAM.GOV on 10 December 2024. Only the incumbent, Gentex Corporation, responded to the RFI with a fully compliant and technically viable response for satisfying the RFI requirements. PdM AW, Air Soldier System product lead, working in conjunction with the technical representatives from PdM AW, has conducted market research during the past 12 months. Market research consisted in RFIs, conducting discussions with personnel knowledgeable with helmet requirements, helmet manufacturing and helmet manufacturers, internet searches, and convention attendance. PdM AW attended the Army Aviation Association of America (AAAA) convention, the Association of the United States Army (AUSA) convention, the Aircrew Systems Sub Board, and the annual Space and Flight Equipment (SAFE) convention. While multiple commercial vendors were identified, the research determined commercial aviation helmets do not meet U.S. Army Aeromedical Research Laboratory (USAARL) requirements standards. Gentex has the capability and knowledge to manufacture aviation helmets that meet this standard. No company other than Gentex has the unique knowledge and expertise necessary to manufacture the AHA and RWH to the standards required by USAARL and U.S. Army.

9. **Interested Sources**: The proposed source for this planned contract action is Gentex Corporation. Gentex is the only source capable of providing this requirement in a timely and affordable manner due to their significant AHA/RWH experience, proprietary design rights, possession of necessary special tools and test equipment, and existing production facilities.

a. On 10 December 2024, ACC Redstone, at the request of the PdM AW, issued a SS/RFI for market research. The incumbent, Gentex Corporation, was the only respondent that was deemed to be responsive to the RFI requirements. One other response was initially received but was determined to be non-responsive to the RFI requirements. The response consisted only of an email from BHPE LLC, but the information provided was incomplete and insufficient to demonstrate, or to further investigate, their ability to perform the requirements of the proposed action.

b. The primary barrier to pursuing the qualification of an alternate source is the significant Army investments that have already been made in the current Gentex AHA and RWH and the cost and schedule required to approve an alternate source. Purchasing the IP rights from Gentex and then qualifying a second vendor would cost between [redacted] The associated schedule would push the first article test 16-18 months to the right, with a delay to full rate production of 18-24 months. Current program funding levels and schedule needs do not support the development and qualification of an alternate source.

10. **Other Facts**: Other factors supporting the use of other than full and open competition are as follows:

a. Procurement History:

(1) Contract – W58RGZ-13-C-0111
Date of Award – 5 June 2013
Contractor – Gentex Corporation, 324 Main Street, Simpson, PA 18407
Quantities – Procure 100 each modified helmets with qualification
Dollar Value of contract – [redacted]
Sole Source – 10 U.S.C. 2304 (c)(l), as implemented by FAR 6.302-1, "Only One or a Limited Number of Responsible Sources and No Other Supplies or Services will Satisfy Agency Requirements."

(2) Contract – W58RGZ-15-C-0041
Date of Award – 31 March 2015
Contractor – Gentex Corporation, 324 Main Street, Simpson, PA 18407
Quantities – Procure 100 RWHs and maxillofacial shields
Dollar Value of Contract – [redacted]
Sole Source contract – 10 U.S.C. 2304 (c)(l), as implemented by FAR 6.302-1, "Only One or a Limited Number of Responsible Sources and No Other Supplies or Services will Satisfy Agency Requirements."

(3) Contract – W58RGZ-16-C-0053
Date of Award – 3 August 20[redacted]

Contractor – Gentex Corporation, 324 Main Street, Simpson, PA 18407
Quantities – Procure 750 RWHs, 500 maxillofacial shields, and ancillary items
Dollar Value of Contract – [redacted]
Sole Source Contract – 10 U.S.C. 2304 (c)(l), as implemented by FAR 6.302-1, "Only One or a Limited Number of Responsible Sources and No Other Supplies or Services will Satisfy Agency Requirements."

(4) Contract – W58RGZ-17-D-0070
Date of Award – 30 June 2017
Contractor – Gentex Corporation, 324 Main Street, Simpson, PA 18407
Quantities: Procure 2575 AHAs and ancillary items
Dollar Value of Contract [redacted]
Sole Source Contract – 10 United States Code (U.S.C.) 2304(c)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1(a)(2)(ii); "Only one or a limited number of responsible sources and no other supplies or services will satisfy agency requirements."

(5) Contract – W58RGZ-19-D-0070
Date of Award – 25 April 2019
Contractor – Gentex Corporation, 324 Main Street, Simpson, PA 18407
Quantities (IDIQ Contract) – Procure 6,789 RWHs, 6,000 maxillofacial shields and ancillary items
Dollar Value of Contract [redacted]
Sole Source Contract – 10 U.S.C. 2304 (c)(l), as implemented by FAR 6.302-1, "Only One or a Limited Number of Responsible Sources and No Other Supplies or Services will Satisfy Agency Requirements."

b. Other facts. Not applicable.

[redacted]

11. **TECHNICAL CERTIFICATION**: I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Date: 4/1/25

[redacted]

12. **REQUIREMENTS CERTIFICATION**: I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Date: 4/1/25

[redacted]

[redacted]

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. The basis for this determination will be cost analysis, price analysis, independent Government cost estimate, audit, and technical evaluation. IAW FAR 15.403-4, certified cost and pricing data are required and will be obtained. The Defense Contract Audit Agency shall perform an on-site audit and provide a Final Audit Report, to be utilized by Technical and Pricing experts to develop and negotiate fair and reasonable pricing. In addition, the previous contracts may be used in determining fair and reasonable cost or price.

[redacted]

Date: _____

[redacted]

14. **PROCURING CONTRACTING OFFICER CERTIFI[redacted]**
accurate and complete to the best of my knowledge and belief.

[redacted]

Date: _____

[redacted]

[redacted]

Control Number: ARC-J&A25-2009

APPROVAL

Based on the foregoing justification, I hereby approve the procurement of HGU 56/P AHA and HGU 56/P RWH valued a[redacted] on an 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, subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for this acquisition.

Date: _____

[redacted]

JOSEPH A. GIUNTA JR.
Senior Contracting Official

[redacted]