



UNITED STATES MARINE CORPS  
MARINE CORPS SYSTEMS COMMAND  
2200 LESTER STREET  
QUANTICO, VIRGINIA 22134-6050

IN REPLY REFER TO

Code: CT 022  
J&A Number: 13,788.0

JUSTIFICATION AND APPROVAL (J&A)  
TO PROCURE USING OTHER THAN FULL AND OPEN COMPETITION

Upon the basis of the following justification, I, hereby approve, as Competition Advocate, MARCORSYSCOM, the contractual action described herein using other than full and open competition pursuant to the authority of 10 U. S. C. 2304 (c)(1) as implemented by Federal Acquisition Regulation.

JUSTIFICATION

1. Contracting Activity

Marine Corps Systems Command (MARCORSYSCOM)  
MAGTF C2, Weapons and Sensors Development and Integration (MC2I) Contracts Group  
2200 Lester Street, Quantico, VA 22134-6050.

2. Nature of Action Being Approved

This Justification and Approval (J&A) authorizes and approves the use of other than full and open competition to procure Contractor Engineering and Technical Services (CETS) for the Tactical Air Operations Module (TAOM). The proposed action encompasses negotiation of a follow-on sole source, firm-fixed-price (labor), labor hour (overtime) and cost reimbursable (travel) contract with Northrop Grumman, Navigation Systems Division (NG, NSD), 21240 Burbank Boulevard, Woodland Hills, CA, 91367-6675, to provide Contractor Engineering and Technical Services (CETS) in support of the AN/TYQ-23(V)4 Tactical Air Operations Module (TAOM), the AN/TYQ-87(V)2 Sector Anti-Air Warfare Facility (SAAWF), components of the AN/TSQ-269 Mobile TAOM (MTAOM), the Multi-Channel Interface Unit (MCIU) of the AN/MSQ-124 Air Defense Communications Platform (ADCP), the TAOM Interface Group (TIG), and other associated peripheral equipment throughout these systems' Operations and Support Phases. NG, NSD is currently performing these efforts on Contract Number M67854-05-C-2026 which ends 29 September 2010.

3. Description of Supplies/Services

The purpose of this proposed contract action is to procure non-personal services for CETS for the TAOM, SAAWF, MTAOM, MCIU, TIG and associated peripheral devices. On-site Field Service Representative (FSR) support is required at five (5) Marine Air Control Squadrons (MACS) and Marine Corps Tactical System Support Activity (MCTSSA). The Tactical Air Operations Center (TAOC) automated command and control suites of equipment covered by this support are the primary Marine Corps' assets for providing real-time air defense and airspace management encompassing the full spectrum of tactical air operations and command and control interoperability. The contractor FSRs will provide advice, instruction, and support to Marine

personnel in the assembly, operation, maintenance, calibration, repair, and modification of the TAOC equipment at both garrison and deployed locations.

#### 4. Identification of Statutory Authority

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

#### 5. Contractor's Unique Qualifications and Rationale for Use of the Authority Cited

NG, NSD (formerly known as Litton Data Systems) is the sole producer of the TAOM, the SAAWF, the TIG, and the MCIU. NG, NSD has been the system engineer and configuration manager for the TAOC systems from initial development and production through TAOM(V)4 upgrade production and subsequent refreshes. As a result of designing, producing, and sustaining the supported systems, NG, NSD possesses unique knowledge of the engineering, design, and production techniques associated with the system. An in-depth knowledge of the current TAOM, SAAWF, TIG, and MCIU system designs and the evolutionary upgrades as they are fielded, including strong familiarity with the technical drawings, data packages, and programming are required for the successful performance of this requirement. NG, NSD is uniquely qualified having been the original design and production contractor for these systems and is the development and production contractor for on-going system upgrades/sustainment efforts. From inception of the baseline through current operational deployments, NG, NSD has provided on-site FSR support of the TAOC systems to the operating forces. Due to the complexity of the systems from the technical and logistical points of perspective, on-site FSR support, in concert with trained Marine Corps' personnel, has been a prerequisite to overall operational readiness. NG, NSD is the only known contractor with personnel with the requisite technical knowledge of the system and the reach-back capability required to access the TAOC engineering expertise resident at NG, NSD. This effort is a follow-on contract to M67854-05-C-2026 through which NG, NSD has, for the past five years, served as the CETS vendor for these systems. The M67854-05-C-2026 vehicle is a multiple-year (one base year plus four one (1) year options) contract awarded on a sole-source basis to Litton Systems Inc. on 30 September 2005 (per J&A 11,370 of 1 July 2005) with a ceiling of \$9,464,000.00.

As such, FAR 6.302-1(a)(iii)(B) states: For DOD, NASA, and the Coast Guard, services may be deemed to be available only from the original source in the case of follow-on contracts for the continued provision of highly specialized services when it is likely that award to any other source would result in unacceptable delays in fulfilling the agency's requirements. (See 10 U.S.C. 2304(d)(1)(B))

#### 6. Efforts Made to Solicit Potential Sources

This requirement was synopsised on Navy Electronic Commerce Online and Federal Business Opportunities (FedBizOpps) on 3 August 2010. The announcement expressed the Marine Corps' intent to award a multiple year contract, on a sole-source basis, to NG, NSD for CETS support for the TAOC. Interested parties were encouraged to submit a statement of capability for satisfying the requirement by 18 August 2010 in accordance with FAR 5.203(a). No interest or inquiry into this effort has been received. However, if responses are received by the due date,

they will be considered and this document will be updated as necessary. Moreover, the Marine Corps Systems Command has not engaged in additional market research due to the fact that the Government does not possess the requisite technical data and a Level III technical drawing package, which would enable another contractor to provide the required life cycle support for the TAOM.

7. Determination of Fair and Reasonable Cost

Based on historical cost data and cost or pricing data which will be obtained for this procurement, the contracting officer, with assistance from the Program Office and DCMA/DCAA, will determine fair and reasonable costs/prices as required by FAR 15.402.

8. Description of Market Survey

As mentioned in paragraph 6 above, this requirement was publicized as required by FAR 5.201 and no responses have been received to date.

9. Other Factors Supporting Use of other than Full and Open Competition

A technical data package adequate to provide for specialized support of this complex system does not exist, and therefore, the Government would be unable to provide detailed engineering documentation should a contractor other than NG, NSD be awarded the contract. During negotiations of the TAOM(V)4 Upgrade production contract in 1998, it was determined that the cost for the Level III drawing package could not be justified, because NG, NSD (formerly Litton Integrated Systems) has been the sole configuration manager for the TAOM since the original production effort. As such, the TAOM(V)4 production effort did not include the requirement to provide a Level III drawing package, but rather to red-line the original production drawings. Furthermore, additional changes to the system are currently on-going under M67854-07-D-2060. As such, reach-back capability to the engineering expertise resident at NG, NSD is essential. Any other contractor would need to subcontract with NG, NSD in order to access that capability which would add an additional layer of cost. If the Government were to purchase detailed engineering drawings and documentation, the cost is estimated at over \$10M with a 24-month lead time for delivery. The two year delay associated with the review of the current red-lined drawings and the production of the Level III drawing package would result in unacceptable delays in fulfilling the agency's requirement to support the TAOM and its peripheral equipment which are currently deployed in support of real-world operations.

Due to the complexity of the TAOM, the FSRs located with the operating forces are usually responsible for the installation of software patches and minor upgrades to the hardware. The Marine Corps has received a significant amount of supplemental funding that is being used to conduct engineering change proposals (ECPs) to the equipment. It is anticipated that the FSRs will play a large role in the fielding of these ECPs and mod kits which will speed up their installation and result in units being operationally available faster.

10. Other Interested Sources

To date, no other sources have shown an interest or expressed a capability to meet this requirement. See paragraph 6 above.

11. Action Taken to Remove Barriers to Competition

Action to promote future competition to meet this requirement is not expected because the TAOC systems are scheduled to begin phase-out when fielding of the Common Aviation Command and Control System (CAC2S) begins. Fielding is expected to occur on or about the beginning of the fourth quarter of fiscal year 2015.

12. Statement of Delivery Requirement

The contract will consist of one base year with four option years commencing on September 29, 2010.

13. Estimated Dollar Value of this Acquisition

The estimated dollar value for this procurement is **\$11.424M** over five years, if fully executed. The estimated costs are:

(\$000)						
APPROP	FY10	FY11	FY12	FY13	FY14	TOTAL
O&M	\$1,476	\$1,527	\$1,581	\$1,638	\$1,696	\$7,918
O&M Reserve	\$661	\$681	\$701	\$721	\$742	\$3,506
Total	\$2,137	\$2,208	\$2,282	\$2,359	\$2,438	<b>\$11,424</b>

14. Acquisition Plan

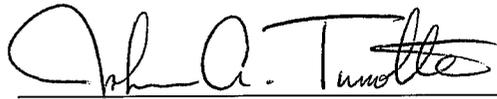
Requirements are based on the Marine Corps Single Acquisition Management Plan (MC-SAMP) for Marine Air Command and Control Systems (MACCS) Sustainment Family of Systems (FoS) dated January 2010. The plan includes CETS in addition to hardware and software sustainment for the system.

15. Documentation for Spare and Repair Parts Acquisition

No spare or repair parts will be procured on this contract.

**TECHNICAL AND REQUIREMENTS CERTIFICATION (FAR 6.303-1(b)):**

I certify the facts and representation under my cognizance, which are included in this justification and which form the basis for a justification, are complete and accurate.

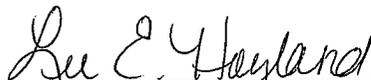
  
MSgt John A. Turcotte, TAOM Project Officer      (703)432-4068      8/18/10  
Phone      Date

**REVIEW FOR LEGAL SUFFICIENCY (NMCARS 5201.602-1):**

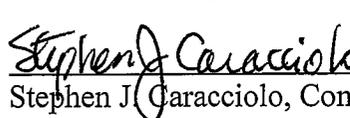
  
Blane B. Lewis      (703)432-3911      8/18/10  
Phone      Date

**CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(a)(12)):**

I certify that this justification is accurate and complete to the best of my knowledge and belief:

  
Lee E. Hoyland, Contracting Officer      (703)432-3164      8/18/10  
Phone      Date

**COMPETITION ADVOCATE:**

  
Stephen J. Caracciolo, Competition Advocate      (703)432-3947      8/26/2010  
Phone      Date