



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

IN REPLY REFER TO

J&A Number: 13,612.0
Code: CTQ029
Date: 22 April 2010

**JUSTIFICATION AND APPROVAL
TO PROCURE USING OTHER THAN FULL AND OPEN COMPETITION**

Upon the basis of the following justification, I hereby approve, as Contracting Officer for the Procuring Activity, hereby approve the contractual action described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

1. REQUIRING ACTIVITY

MARINE CORPS WARFIGHTING LABORATORY
3255 Meyer Avenue
Quantico, VA 22134-5096

CONTRACTING ACTIVITY

MARINE CORPS SYSTEMS COMMAND
2200 Lester Street
Quantico, VA 22134-6050

2. NATURE OF REQUEST

This memorandum is to award a contract to Raytheon Company, Andover, MA, for five (5) ZeroBase H Series Regenerators, spares and training. The Regenerators are to support the Extended User Evaluation (EUE) in support the Commandant's initiative to make the Marine Corps Expeditionary Forces a more effective and efficient organization.

3. DESCRIPTION

The proposed contract will provide five (5) ZeroBase H Series regenerators. The ZeroBase Regenerator is a renewable energy system that has a number of advantages for tactical deployment. The regenerator has a sealed composite housing and unique unibody construction that can withstand wind, rain, sand, corrosion and rising water. The power electronics are protected from the environment and the sealed AGM batteries require no venting. The integral solar panels fold up in minutes to protect against high wind or storms. The regenerator can be made operational within minutes by an untrained operator.

4. **STATUTORY AUTHORITY**

This Justification and Approval of Other Than Full and Open Competition is based upon 10 USC (c)(1) as implemented by FAR 6.302-1, "Only one responsible source and no other will satisfy agency requirements."

5. **RATIONALE SUPPORTING USE OF AUTHORITY CITED ABOVE**

Due to the disbursed operating environment in Afghanistan the Marines have had to establish an increased number of forward operating bases at the company and below level. This increase of bases has placed a heavy burden on manpower, support equipment and energy requirements. Marines are forced to conduct long and dangerous resupply convoys in order to support these numerous forward operating bases.

The Raytheon Zero Base H Series regenerators are the only known product that can provide renewable energy systems prepared for the combat environment without further development. The use of any other system would require additional development time and funding to provided for a similar capability.

No other known source can provide the required system in the necessary timeframe. In addition, the Raytheon system is the only known system which meets all of the measurements of suitability, feasibility, acceptability, completeness, and timeframes for the current situation.

6. **SYNOPSIS OR OTHER EFFORTS FOR SOURCES**

This requirement was synopsised in NECO on 9 April 2010, with a closing date of 16 April 2010. No other offerors responded.

7. **CONTRACTING OFFICER'S DETERMINATION OF FAIR AND REASONABLE COSTS**

The Contracting Officer will ensure that costs associated with this effort will be fair and reasonable.

8. **DESCRIPTION OF MARKET SURVEY**

A Request For Information (RFI) through the Office of Naval Research (ONR) was published in FEDBIZOPS on 16 December 2009, with responses due on 15 January 2010. The RFI was looking for a system capable of energy efficient lighting at forward operating bases. Thirty-five (35) responses were received. A group of Subject Matter Experts (SMEs) from MCWL, ONR, Office of Secretary Defense (OSD) Power Surety Task Force, Marine Corps Engineering School and the Marine Corps Combat Development Command (MCCDC) reviewed and evaluated RFI responses. The potential vendors that met the Marine Corps requirements were invited to demonstrate their equipment at an Experimental Forward Operating Base (ExFOB), March 8-17, 2010, developed at the Marine Corps Base Quantico. The product demonstrations were evaluated by the SMEs. In addition, vendors were invited to give product presentations at the

USMC Expeditionary Power & Energy Symposium in January 25-27, 2010, vendor presentation that met the RFI requirements was also invited to demonstrate at the ExFOB.

9. OTHER FACTORS

The Improvised Explosive Device (IED) danger present in Afghanistan continues to be severe and poses a difficult force protection challenge. Raytheon Zero Base generator reduces the power requirements needed.

10. LIST OF SOURCES EXPRESSING INTEREST

See paragraph 6 above.

11. ACTIONS TAKEN TO REMOVE BARRIERS TO FULL AND OPEN COMPETITION

This procurement is in support of a EUE in Afghanistan.

12. DELIVERY REQUIREMENT

Delivery of these items is required as soon as possible to meet EUE requirements.

13. TOTAL ESTIMATED DOLLAR VALUE OF THE ACQUISITION COVERED BY THIS J&A

The estimated dollar value for this acquisition is \$133,000.00

14. REFERENCE TO THE APPROVED ACQUISITION PLAN (AP)

No formal acquisition plan was required or prepared as the total estimated cost of this acquisition is below the amounts referred to in NAPS 5207.103(c)(i) and specified in DFAR 207.103.