

Technical Documentation

J&A Number 09-308C AN/USQ-78(V) Prod Program

J&A Template: One Source v1F

Justification for Other than Full and Open Competition

6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements.

Please fill in all of the required details below.

T1. J&A Description:

J&A Number: **09-308C**

Acquisition Name: **AN/USQ-78(V) Prod Program**

T2. Technical Point of Contact: **LCDR Jeffrey J. Carty**

WHAT is being acquired?

T3. Concisely describe the nature of this acquisition: **This Class J&A replaces the Individual J&A Number 08-396 dated 3 September 2008. The reason for replacing the Individual J&A is a change in contract type from an IDIQ contract to a BOA. This Class J&A will cover all delivery orders placed under the BOA.**

This acquisition provides for the design, production, and in-plant installation of AN/USQ-78(V) system and subsystem upgrades and tech refreshes for P-3C aircraft, inclusive of Foreign Military Sales (FMS) aircraft. Specifically, the resultant contract will allow the Program Office (PMA-290) to manage P-3C acoustic system issues such as upgrades and obsolescence for the P-3C acoustic system and its associated subsystems in all AIP and BMUP warfighter aircraft.

This Justification and Approval (J&A) authorizes the use of other than full and open competition to procure a series of component replacements and modifications within the P-3C acoustic system enabling the sustainment of mission capability through 2019. The changes reflect the ongoing Air Acoustic Rapid Commercial-off-the-Shelf Insertion (ARCI) development model. All in-plant modifications and integration effort will be performed by the prime contractor, Lockheed Martin Corporation, MS2 Undersea Systems, located in Manassas, Virginia.

The resultant contract will procure:

- 1. Acoustic Receiver Tech Refresh (ARTR) retrofit kits**
- 2. Acoustic Processor Tech Refresh (APTR) upgrade kits**
- 3. Acoustic Processor Tech Refresh retrofit kits**
- 4. In-plant modifications with Fleet support**
- 5. Integrated Avionics Trainer (IAT) retrofit kits**
- 6. T-78 trainer retro-fit upgrade kits**
- 7. Non-Recurring Engineering (NRE) for Commercial-Off-the-Shelf (COTS) obsolescence including subsequent technology refreshes and performance improvements for the AN/USQ-78(V) APTR and future Acoustic Rapid Cots Insertion (ARCI) developments**
- 8. Spares and logistic support**

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9. Technical studies

10. FMS related equipment and NRE

11. Lab equipment

12. Software which is compatible with P-8 aircraft requirements

T4. The estimated total dollar amount, including options, of this action is: **\$74,300,000**

T5. This J&A approves the following type of action(s): (*Coordinate with PCO*)

Single action

▪ New **Select type of Contract** type **Select Action Type**

Class of actions. If this is a Class J&A, it covers actions through **29 June 2014**.

▪ New **Fixed Price and Cost Reimbursable** type **orders under a BOA**

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WHO? *Who is the only source?*

T8. Lockheed Martin Corporation, MS2 Undersea Systems is the only source that can provide the above supplies or services and no other supplies or services will satisfy the program's requirements.

WHY *is the source above the only one that can fulfill the requirement?*

In accordance with Title 10 U.S.C 2304(c)(1) as cited in FAR 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements."

T9. Only the specified source can provide the above described supplies or services due to:

Insufficient Technical Data and / or Rights The Government does not possess adequate data and / or the rights necessary to competitively award this requirement.

- Explain why the technical data is necessary for this acquisition:
Electrical, mechanical, and structural technical data are essential to upgrade the AN/USQ-78(V) acoustic suite and to continue with the development and integration of the planned technology refreshes.
- Does the Government possess all the technical data required to competitively award this requirement?

Yes

- If Yes, explain why the Government does not possess sufficient data rights for the competition of this requirement:

- If Yes, could the necessary rights to the data be purchased?

Yes, the necessary rights could be purchased for an estimated \$

This amount was determined by

This amount is economically unfeasible due to

No, explain;

No

- If No, explain why the Government does not possess sufficient technical data to competitively award this requirement.
- **The Government did not procure the electrical, mechanical, and structural data and drawings for the AN/USQ-78(V) under contracts N00019-01-C-0235 and N00019-96-C-0150 due to funding constraints. Without the data and drawings, the current requirement to upgrade the AN/USQ-78(V) cannot be competitively awarded.**

- If No, could the necessary technical data and rights be purchased?

Yes, the necessary Data and Rights could be purchased for \$ **20,000,000.00**.

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This amount was determined by **Lockheed Martin and confirmed through discussions with Government personnel.**

This amount is economically unfeasible due to **lack of funds**

No, explain; .

Special Tooling Only the referenced source has access to special tooling which is necessary to fulfill this requirement.

- Explain why the special tooling is necessary for this acquisition:
- Could the necessary special tooling be purchased?
 - Yes, the necessary tooling could be purchased for an estimated \$.
This amount was determined by .
This amount is economically unfeasible due to
 - No, explain; .

Substantial Duplication of cost (for follow-on actions only) The above source is deemed to be the only source available because an award to a source other than the original provider would result in a substantial duplication of cost which would not be recovered through competition.

- An estimated \$ worth of work would be duplicated
- Explain in detail how this amount was determined

Unacceptable delay of work (for follow-on actions only) The above source is deemed to be the only source available because an award to a source other than the original provider would result in an unacceptable delay in fulfilling the Government's requirements.

- Going to another source would create a delay of approximately
- Explain in detail how this delay estimate was determined
- Explain in detail how the Government would be unable to meet its requirements by this delay
- Describe the specified source's ability to provide the needed supplies / services within the necessary timeframe.

Other

- Be specific and delineate why only the stated source can provide the above supplies or services.

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HOW? / Background Further required information

T10. Is there a supporting acquisition planning document for this program?

Yes

- If Yes, is the supporting acquisition planning document current?
(ensure legal counsel has a copy of the latest document)
 - Yes, it is current as of **05/22/08**
 - No, explain;
- If Yes, is this J&A consistent with the content of the supporting acquisition planning document, including MOPAS?
 - Yes, it is consistent.
 - No, explain;

No

- If No, why is there not a supporting acquisition planning document?
 - A supporting acquisition planning document is not required in accordance with DFARS **207.103 (d)(i)**
 - Other, explain;

T11. Market Research and / or Survey.

Performed

- Describe the research and / or survey that was conducted:

Not Performed

- No market research or survey was conducted due to: **Lockheed Martin has developed, and is producing the ARTR which is a fundamental basis for APTR. Lockheed Martin is currently performing all the NRE. Commonality with the P-8A acoustic system has already been identified with the current Lockheed Martin APTR developed design. Follow-on design planning has also been outlined to provide further alignment with the P-8A system.**

T12. Follow-on Information: (Required for all actions)

Will this requirement be acquired again?

Yes

- If Yes, what is being done to remove barriers to competition?
 - Nothing, explain:
 - Actions such as,
- If Yes, Will it be competed in the future?
 - No, explain:
 - Yes on **(when)**

No, this is a one time buy.

No, this a final buy. Anticipated to be final buy.

Is this for a follow-on requirement?

Yes

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- If Yes, Is the previous J&A attached?

Yes

No, explain:

No

TECHNICAL CERTIFICATION

I certify that the facts and representations included in sections T1 through T12 and the supporting acquisition planning documentation are accurate and complete.



Date: 6/2/09

Name: LCDR Jeffrey J. Carty Title: P-3C Acoustic IPT Lead PMA-290

CONTRACTING OFFICER CERTIFICATION

*(If the total dollar value of the justification is less than \$500K, this certification constitutes the approval.)
To the best of my knowledge and belief I certify the accuracy and completeness of this justification including the attached Technical Documentation and supporting acquisition planning documentation.*

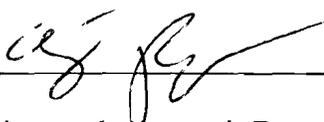


Date: 6/3/09

Name: Donna L. Jackson Title: Contracting Officer Code: 2.3.2.4 Phone: 301-757-5257

COUNSEL

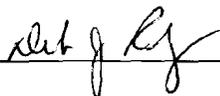
Based upon the certification contained herein, this justification is legally sufficient.



Date: 6/4/09

Name: Anthony J. Paza Title: Legal Counsel, AIR 11.1

APPROVED



Date: 6/10/09

Name: Debra J. Raley Title: Department Head, Major Weapon Systems, Air ASW, Assault and Special Missions Programs Contracts Department, AIR-2.3