

Contracts Documentation

J&A Number 09-143C H-53 German GCU

J&A Template: Ktrs v1F

Justification for Other than Full and Open Competition

Please fill in all of the required details below.

C1. J&A Description:

J&A Number: ~~09-143C~~

Acquisition Name: ~~H-53 German GCU~~

The estimated total dollar amount is: **\$2,100,000**

Class J&A?:

C2. Exception to full and open competition:

FAR 6.302-1 "Only One Responsible Source"

C3. Contracting Activity:

Naval Air Systems Command
Naval Air Systems Command Headquarters
Aircraft Support Contracts Department (AIR 2.3)
47123 Buse Road, Bldg 2272
Patuxent River, MD 20670-1547
POC: Ronald N. Guy

C4. Synopsis. Was a synopsis describing this action(s) released in FEDBIZOPPS?

Yes

▪ If Yes,

- The synopsis was posted on **12-29-2008**
- Which companies responded in writing? **None**
- Describe action(s) taken with responses received:
- Any future responses to the synopsis will be evaluated by the contracting officer

No, a synopsis was not released because:

- Each action will be synopsised individually
- Of an Unusual and Compelling Urgency under FAR 6.302-2
- This action(s) is the result of an international agreement.
- Other:

C5. Determination of Fair and Reasonable Cost / Price:

In Accordance With (IAW) FAR 6.303-2 (a) (7), the PCO will take the following action(s) to ensure Cost / Price reasonableness.

- Obtain Field/ DCAA Audits
- Obtain Certified Cost and Pricing Data
- Utilize Independent Government Estimate
- Utilize Historical Data
- Conduct Price Analysis IAW FAR 15.404-1
- Other, explain:

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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.

Guidance for fields can be found at the bottom of the window. Additional guidance may be available by pressing "F1"

T1. J&A Description:

J&A Number: **09-143C**

Acquisition Name: **H-53 Replacement GCU**

T2. Technical Point of Contact: Michael Glover.

WHAT is being acquired?

T3. Concisely describe the nature of this acquisition: This action is for developmental engineering for an RPP114-series generator control unit (GCU) for Navy/Marine Corps H-53 helicopters, logistics support and 15 test units for the Navy's system integration testing. The existing Bendix and Avtron GCUs exhibit low reliability and high cost to remove, repair, and replace because of their age and obsolete electronic components. For the period October 2006 through March 2008, the H-53 GCU was responsible for more than \$440K of depot repair costs. In October 2008 the GCU was in the Top 10 readiness degraders for both the CH-53E and MH-53E. The ESW GCU is reportedly achieving a Mean Time Between Failure (MTBF) of greater than 8,000 hours on German H-53s, compared to 186 hours on the existing unit. Given this demonstrated performance, the Government would like modify the ESW GCU and procure test articles to establish performance on MH/CH-53E aircraft.

T4. The estimated total dollar amount, including options, of this action is: \$2,100,000

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

Single action

- New **Cost plus Fixed fee type new contract action.**

Class of actions. If this is a Class J&A, it covers actions through .

- New **Select type of Contract type new contract actions.**

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T6. Specifically the below supplies or services are covered under this justification (including options):

The quantities identified below are estimated and may be adjusted to reflect other such quantities as may be authorized and appropriated by Congress.

Description <i>(Non-major items / services may be identified generically in logical grouping)</i>	Estimate QTY - Unit	Estimate Delivery Requirement / POP
Developmental Engineering		FY09-11
GCU Engineering Development Units	15	FY09-11

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WHO? Who is the only source?

T8. ESW (GmbH) 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:
(Check all that are applicable and use as much detail as necessary)

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:
The technical data is necessary to verify that the RPP114 GCU can be integrated safely on CH-53D/E and MH-53E helicopters. Without this data, the aircraft's electrical generating system or other systems drawing electrical power from the aircraft's power distribution network could be damaged or contribute to an aircraft mishap.

- 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.
ESW (GmbH) is the sole manufacturer of the RPP114 series GCU. The RPP114 GCU addresses the Navy's requirement for a non-developmental replacement GCU and is form, fit, function ready for H-53 aircraft with proven reliability over the existing design. ESW, as the original equipment manufacturer of the RPP144 GCU, processes all the requisite technical data to the system and thus is the only source capable of performing the modifications necessary to adapt the RPP114 to the MH/CH-53E and produce the

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necessary prototypes to support the U.S. Government's integration testing. ESW was selected for funding under the Foreign Comparative Test (FCT) program. FCT is authorized under Title 10, U.S. Code Section 2350a(g), and is funded through Program Element 0605130D in the Defense-wide Research Development Test and Evaluation (RDT&E) 0400 Budget. The system being developed on this contract is the direct result of that FCT evaluation and funding.

- If No, could the necessary technical data and rights be purchased?
 - Yes, the necessary Data and Rights could be purchased for \$
This amount was determined by
This amount is economically unfeasible due to
 - No, explain; **ESW (GmbH) was approached about their willingness to sell the necessary data rights to the U.S. government. They declined in writing on 14 April 2009, citing the potential to market this equipment to other operators around the world..**

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

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- 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 **21 Dec 2007**
 - 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. (Required Pre-Solicitation notices do NOT satisfy this requirement)

Performed

- Describe the research and / or survey that was conducted: **The H-53 program team conducted market research to determine possible sources for a replacement aircraft GCU. We queried both the Interagency Contract Directory and other publicly-available information found with the Google search engine. We examined the products of ten resulting companies, only two of which actually produced functionally similar products. Both of those products were substantially larger and heavier than our existing GCU; one did not regulate alternating current power; and the other was used only on two fighter aircraft that have been out of production for many years. Through the ongoing process of in-service fleet support, including both U.S. and FMS operators, we became aware that the German CH-53G used a GCU with reliability of greater than 8,000 hours. After some analysis by NAVAIR electrical power engineers, it was determined that the ESW product had a high likelihood of satisfying the Navy's requirements for a reliable replacement GCU.**

Not Performed

- No market research or survey was conducted due to:

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?

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Nothing, explain:
 Actions such as, **continuing to monitor the marketplace and investing in alternative GCUs. As described above, the Navy anticipates replacing the existing GCU to improve readiness and sustainment costs. The procurement described herein would qualify the RPP114-series GGU for use on U.S. Navy/Marine Corps H-53 helicopters. Concurrently the Navy is investing in improvements to maximize performance of the obsolete Bendix & Avtron GCUs. Depending on the outcome of the testing programs, these actions may support the competitive acquisition of production GCUs for the in-service H-53 fleet.**

▪ If Yes, Will it be competed in the future?

No, explain:

Yes on **Future production procurements may be executed on a competitive basis. See explanation above.**

No, this is a one time buy.

No, this a final buy.

□ Is this for a follow-on requirement?

Yes

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

Yes

No, explain:

No

(Remember to insert names of signing officials on next sheet)