



## DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND  
1333 ISAAC HULL AVE SE  
WASHINGTON NAVY YARD DC 20376-0001

IN REPLY TO

J&A Number: 63,902

Code: [REDACTED]

PR Number: N00024-10-NR-23879

### JUSTIFICATION AND APPROVAL FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

#### 1. Contracting Activity

The Naval Sea Systems Command (NAVSEA), Undersea Systems Contract Division, NAVSEA [REDACTED]

#### 2. Description of the Action Being Approved

The proposed contract will provide support services without providing for full and open competition to RGS Associates, Inc., 1800 South Bell Street, 10<sup>th</sup> Floor, Arlington, VA 22202. The proposed contract will provide required professional support services in support of NAVSEA Chief Strategy Office (SEA00X) and Total Force and Corporate Operations Directorate (SEA10).

#### 3. Description of Supplies/Services

The proposed contract will provide program management, strategic planning, and strategy execution services in support of Strategic Business Planning, Provider Enterprise, Total Ownership Cost initiatives, Chief Naval Officer (CNO) Efficiencies', Human Resources (hiring /classification), Senior Executive Management (SEM), Command Awards Program, Command Equal Employment Opportunity (EEO) Program, Manpower Management, Reserve Operations, Training & Development and Enterprise Resource Planning (ERP) support. The proposed contract will provide required services only until completion of the full and open competition for continuation of contractor support services to SEA 00X and SEA 10.

This contract will bridge a five-month gap between the end of the current SEAPORT task order (N00178-05-D-4530-EH02) and the follow-on SEAPORT task order anticipated to be competitively awarded in June 2011. Nine one-month option periods are included in the event the competitive award is delayed.

The period of performance for the contract if all options are exercised is fourteen months( five month base period with nine one-month options).

The Government's minimum needs have been verified by the

certifying technical and requirements personnel.

The Estimated Dollar Value of this action is \$4,940,000 as shown below:

	FY11	FY12	Total
OM&N	\$2,042,856	\$2,897,144	\$4,940,000

**4. Statutory Authority Permitting Other Than Full and Open Competition**

The statutory authority permitting other than full and open competition is contained in 10 U.S.C. 2304(c) (1) as implemented in FAR 6.302-1, "Only one or a limited number of responsible sources and no other type of supplies or services will satisfy agency requirements," (48 C.F.R 6-302-1).

**5. Rationale Justifying Use of Cited Statutory Authority**

FAR 6.302-1(a)(2)(iii) allows an agency to restrict competition when services are deemed to be available only from the original source in the case of a follow-on contract, for the continued provision of highly specialized services when it is likely that an award to any other source would result in "unacceptable delays in fulfilling the agency's requirements." The original contract with RGS Associates was a competitive award. The proposed contract will provide required services until completion of the full and open competition under SEAPORT for Strategic Planning and Competency support. Although the period of performance for the current SEAPORT Task Order for professional support services is December 5, 2012; this Task Order will reach its funding ceiling around February 28, 2011 and no other company has sufficient time to obtain the experience required to meet the Governments needs.

A competition is underway for a follow-on SEAPORT Task Order with an estimated award date in the 3<sup>rd</sup> Quarter of FY 2011. If we were to have a competition for the proposed bridge contract it would cause a twelve month delay in providing these services. Specific services that would be delayed include the following:

- NAVSEA Strategic Business Planning Support. The Contractor provides professional, technical, advisory support and recommendations to assist NAVSEAs implementation of the Strategic Business Plan as well as efforts to integrate NAVSEAs strategic initiatives with other related Navy and DOD strategy, policy, directives, and regulatory guidance. Interruption of these services would result in the inability

of NAVSEA to accomplish the following initiatives already in development or underway:

- Development and deployment of the Total Ownership Cost (TOC) governance framework to manage the execution of the efficiency initiatives NAVSEA has committed to CNO to achieve for POM 12, and will commit to in future FYs.
- Development and deployment of the NAVSEA TOC technical tool (submission and tracking database).
- Development of support products (documents, briefs, memoranda) for the NAVSEA Executive Director as lead for the Provider Enterprise Executive Steering Group.
- Deployment of the governance structure for the NAVSEA Talent Management Strategy.
- Development of the content for communication products related to the Command Strategic Business Plan.
- Management of the senior leadership meetings to determine the Command's annual focus areas within the framework of the Command Strategic Business Plan.
- Competency and Total Force Support. The Contractor provides operations support to a variety of NAVSEA Corporate Operations offices focused on competency and total force management by assisting them with the full range of human resources support necessary for these offices to perform daily operations. Without this support, initiatives involving personnel and performance management, recruiting and in sourcing, diversity and Equal Employment Opportunity, training and development, retention, manpower management, and ERP implementation related to these areas would not be accomplished.

The government estimates that allowing for full and open competition for the proposed contract would take twelve months. An interruption of service for this time would cause several unacceptable delays. Hence, for the time between the termination of the original task order and the award and transition to the new contract, the ability to accomplish mission essential work exists and allowing full and open competition would result in unacceptable delays to the government.

## **6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable**

The proposed sole source contract was synopsisized on the Navy Exchange Commerce Online (NECO) and Federal Business Opportunities (FedBizOps) websites on 2 December 2010 in accordance with FAR 5.2. In addition to RGS Associates, a response was also received from OneSource Consulting.

OneSource Consulting stated in their proposal that they could assign 1-2 consultants within 60 days, 5 consultants within the first 8 months and 10 consultants within 12 months after contract award. SEA00X has determined that the proposed startup time will not only result in costs to the government but will also cause unacceptable delays in completing mission-essential work and satisfy the requirements of the proposed contract.

OneSource Consulting was notified via letter 02631/1070 dated 19 January 2011 that a thorough analysis had been performed on their proposal and NAVSEA concluded that OneSource consulting was incapable of meeting the requirements without creating an unacceptable delay. OneSource consulting has not provided any new information regarding its capability to meet the Navy's requirement within the necessary schedule. Any new information received will be evaluated.

No market research will be conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than RGS Associates, Inc. to provide the required services.

## **7. Determination of Fair and Reasonable Costs**

The Contracting Officer has determined that the anticipated cost to the Government for the supplies/services covered by the J&A will be fair and reasonable.

## **8. Actions to Remove Barriers to Competition**

Award of a competitive follow-on task order under the SEAPORT contract is currently anticipated to be completed in June 2011. A bridge contract is required for up to 5 months until such time that the competition for these services is complete and a task order awarded. Option periods are included to mitigate risk and prevent loss of support during the ongoing competition of the SEAPORT effort.

CERTIFICATIONS AND APPROVAL  
TECHNICAL AND REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

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

TECHNICAL COGNIZANCE:

[REDACTED]

REQUIREMENTS COGNIZANCE:

[REDACTED]

REVIEW FOR LEGAL SUFFICIENCY (NMCARS 5206.303(90))

This justification is determined legally sufficient.

[REDACTED]

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

I certify that this justification, including its supporting Acquisition Plan Number 10-005, is accurate and complete to the best of my knowledge and belief.

[REDACTED]

APPROVAL BLOCK (FAR 6.304 and DFARS 206.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as the Designee of the Head of the Contracting Activity, the solicitation of the proposed procurement(s) using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

DIRECTOR, UNDERSEA SYSTEMS CONTRACTS DIVISION

[REDACTED]

Cindy Shaver

2/13/2011  
Date