



## DEPARTMENT OF THE NAVY

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

IN REPLY TO  
J&A: 135,012  
Code: SEA 0265  
PR: 14-MR-24056

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

#### JUSTIFICATION

##### 1. Contracting Activity

The Naval Sea Systems Command, Undersea Systems Contracts Division (SEA 026).

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

Award a Cost-Plus-Fixed-Fee and Firm-Fixed-Price type Contract on a sole source basis for the continued operation, maintenance and enhancement of the SeaPort electronic procurement portal to Aquilent, Inc. 1100 West St, Laurel, MD 20707. The authority to act under this Class J&A expires on September 30, 2019.

##### 3. Description of Supplies/Services

The proposed acquisition is for the continued operation, maintenance and enhancement of the SeaPort electronic procurement portal. This portal supports the electronic award of Task Orders in support of the Navy and Marine Corps. Specifically the SeaPort electronic procurement portal provides a secure web-based procurement process that standardizes the process for the competitive procurement of professional and engineering support services along with improving processing time in both pre-award and post-award administration. The scope of this effort involves providing: helpdesk/user support; enhancements to the electronic process to accommodate business process changes; interface development and implementation; information assurances and security sustainment of the system.

The period of performance of the proposed acquisition will be from date of contract award for twelve months thereafter, with four options for an additional twelve months each.

The SeaPort Program Office (SEA 026) has verified that the requirements stated in the specifications and statement of Work represents the Government's minimum requirements.

The estimated value of the effort covered by this J&A is approximately \$30,000,000.00.

Estimated Dollar Value

	FY15	FY16	FY17	FY18	FY19	Totals
O&MN	\$6M	\$6M	\$6M	\$6M	\$6M	\$30M

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304(c)(1) - Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority

Aquilent, Inc. was competitively awarded a Task Order against their GSA contract (GS-35F-4729G) for the development of the SeaPort electronic procurement portal on 19 January 2001. This procurement portal has been operational since April 2001, has been extensively customized to support the requirements of services acquisitions under indefinite delivery indefinite quantity contracts and has become the Navy's preferred means for acquisition of services from industry. The current contract is set to expire 30 September 2014. It is the Government's intent to award a follow-on contract to Aquilent, Inc. to continue the required services for the SeaPort electronic procurement portal.

The underlying software code was developed and has been refined and modified by Aquilent. The software upon which the Seaport portal is based is Aquilent's "Epic" Solution. Aquilent is the owner of the "Epic" Solution code and as such, Aquilent is the only firm possessing the technical expertise and background to perform the required modifications and maintain the software. Aquilent owns the "Epic" Solution software and is its sole licensor. As such, Aquilent is the only entity from which to purchase the license. Only Aquilent can provide the necessary scope of work in the cost effective manner that minimizes the impact of the delivery of the scope of work on the SeaPort Program. Further, development of another software system would result in duplication of training, maintenance, helpdesk and sustainment costs, as well as the time delays and costs associated with developing and deploying and obtaining

certification for an additional system with redundant capabilities. Aquilent's "Epic" solution is the only software on the market that meets all of the Navy's needs. Additionally, development of an additional system would be contrary to Navy and DoD-wide initiatives to limit the number of unique information technology programs.

Aquilent retains proprietary rights, both technical data and software source code to the underlying commercial software. The Government obtains Government Purpose License Rights for the software customizations developed for Navy use. NAVSEA has procured an enterprise license that provides access to all individuals affiliated with the Navy ordering activities. Without the necessary license rights and underlying commercial software, another source would essentially have to start at the beginning and develop a more expensive system.

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

A synopsis of the proposed contract action is required and was posted to the Federal Business Opportunities (FEDBizOps) website on 26 Aug 2013. No other sources have expressed interest in this procurement. NAVSEA does not envision additional requirements for procurement systems given the capability resident in SeaPort. Market research indicates that there is no other software that has the unique capabilities of "Epic" solution.

7. Determination of Fair and Reasonable Costs

The Contracting Officer has determined that the anticipated cost to the Government will be fair and reasonable.

8. Actions to Remove Barriers to Competition

For the reasons set forth in paragraph 5 above, NAVSEA has no plans at this time to compete future contracts for the types of services covered by this document. If another potential source emerges, NAVSEA will assess whether competition for future requirements is feasible.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance, which are included in this justification and its supporting acquisition planning data, including Acquisition Plan No. N/A, except as noted herein, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE:

[Redacted signature area]

Signature Name (Print) and Title (Code) Phone No. Date

REQUIREMENTS COGNIZANCE:

[Redacted signature area]

Signature Name (Print) and Title (Code) Phone No. Date

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90))

[Redacted signature area]

Signature Name (Print) and Title (Code) Phone No. 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.

[Redacted signature area]

Signature Name (Print) and Title (Code) Phone No. Date

APPROVAL BLOCK (FAR 6.304 for Approving Official)

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

(TITLE OF APPROVING OFFICIAL)

[Redacted title area]

Jerome F. Punderson

*[Handwritten signature]*

Signature Name (Print)