



DEPARTMENT OF THE NAVY
 NAVAL SEA SYSTEMS COMMAND
 1333 ISAAC HULL AVENUE, S.E.,
 WASHINGTON NAVY YARD, DC 20376-2020

CJ&A Number: 20,627.1
 Code: SEA 02231
 PR No: N00024-12-MR-58009

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

JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command, Shipbuilding Contracts Division (SEA 022).

2. Description of the Action Being Approved

Contracting without providing for full and open competition with Bath Iron Works Corporation (BIW), 700 Washington Street, Bath, ME 04530.

3. Description of Supplies/Services

This procurement contemplates a class of orders that will be issued under a Basic Ordering Agreement (BOA) for the accomplishment of Post Shakedown Availability (PSA) Planning and Support Services for DDG 51 Class Destroyers (DDGs 104, 106, 108, 109, 111, and 112) and Emergent Availabilities on DDG 51 Class Destroyers (DDGs 104, 106, 108, 109, 111 and 112) built by BIW from time of ship delivery through the SCN Obligation Work Limiting Date (OWLD) of each ship (post-delivery period). This Justification and Approval is effective through FY 2013. The total estimated value of the orders to be placed under this BOA is [REDACTED] as illustrated below:

| | FY 09 | FY 10 | FY11 | FY 12 | FY 13 | Total |
|-----|------------|-------|------|-------|-------|-------|
| SCN | [REDACTED] | | | | | |

Orders for PSA Planning and Support Services will include advance planning, engineering support, on-site engineering liaison, craft assistance, the ordering and processing of required material in support of PSAs, and the accomplishment of emergent industrial availabilities. Emergent industrial

availabilities include, but are not limited to, Selected Restricted Availabilities (SRAs), Restricted Availabilities (RAVs), Drydocking Availabilities, and Technical Availabilities which may be required from the time of ship's delivery through the SCN OWLD. If necessary, orders may be issued to BIW for PSA planning and support and emergent industrial availabilities for DDG 51 Class Destroyers built by Huntington Ingalls Industries, Ingalls Shipbuilding Division (Ingalls) if Ingalls is unable to perform that work.

The Government's minimal needs have been verified by the certifying technical and requirements personnel.

Acquisition Plan (AP) No. PMS 400D-98-01, REV 3-10 states that the 3-year BOA covered by this CJ&A will cover PSA planning through DDG 112. Due to a delay in DDG 112's delivery, the PSA and associated planning have also moved to the right. As a result, a one year extension to the BOA is required.

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304 (c) (1); FAR 6.302-1 (Only one responsible source and no other supplies or services will satisfy agency requirements.)

5. Rationale Justifying Use of Cited Statutory Authority

PSA planning and support services are provided during the period preceding the scheduled PSA start date through the scheduled PSA completion date for each respective ship. The work to be completed is based on the requirements of each individual ship at that time and must be provided promptly in order to preclude a delay in a scheduled PSA start or completion date. These services, which consist primarily of advance planning (inclusive of the ordering of material) and engineering support for the PSA, must commence prior to the date the shipyard is required to provide final drawings and related data for construction of the individual ship to the Navy. Consequently, only BIW, as the design agent and building yard for these DDG 51 Class Guided Missile Destroyers, has the adequate and unique knowledge and expertise, including detailed knowledge of each ship's delivered configuration, deferred work and incomplete changes, to competently perform the planning and support of each PSA of

a ship built by BIW within the time constraints of an SCN-funded post-delivery period.

Any emergent availability during the post-delivery period for a particular ship must be planned and accomplished within a relatively short time frame as to not delay the deployment of the ship. Given that only the shipbuilder for these DDG 51 Class ships possesses adequate data and knowledge of and familiarity with the unique detail design upon which to provide planning for a post-delivery emergent availability, adequate knowledge of the unique construction methodology used for the ship class, experience and resources necessary to quickly respond to these emergent requirements, and given the limited interval of time defined as the post-delivery period, only BIW can competently perform the planning and accomplishment of any emergent industrial availability of ships built by BIW.

Ingalls might be capable of providing these services; however, to attempt to obtain these services from Ingalls or any other source would not be possible without incurring delays and increased costs. The time and resources necessary to develop another source would hamper the efficient implementation of PSA planning. Award to any firm other than BIW for the above-stated requirements would result in unacceptable delays in fulfilling the agency's requirements due to inadequate long lead time support and high startup costs. For these reasons, the services required in support of these ships built by BIW within the required program schedules are available from only one source, BIW. Similarly, only BIW, as the design agent for and builder of the DDG 51 Class ships, would have sufficient knowledge and expertise to be able to perform planning and emergent availabilities for DDG 51 Class ships built by Ingalls. Therefore, BIW may be ordered to perform planning and accomplishment of emergent availabilities of Ingalls-built ships which Ingalls is unable to perform.

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

The proposed acquisition was synopsised on the FEDBIZOPPS website in February 2009 in accordance with FAR 5.2. Individual or classes of orders placed under the BOA will be synopsised in accordance with applicable regulations. Any responses received will be considered. No additional market research was conducted because it is not practicable, for the

reasons discussed in section 5, for any company other than BIW to provide the required supplies and services.

7. Determination of Fair and Reasonable Costs

The Procuring Contracting Officer (PCO) has determined that the anticipated cost to the Government of the supplies/services covered by this CJ&A will be fair and reasonable.

8. Actions to Remove Barriers to Competition

For the reasons set forth in Paragraph 5, Naval Sea Systems Command, Shipbuilding Contracts Division (SEA 022) has no plans at this time to compete future contracts for the types of supplies/services covered by this document. If another potential source emerges, NAVSEA will assess whether competition for future requirements is feasible. The circumstances surrounding the need to obtain the required supplies/services without full and open competition will be reviewed annually by the PCO.

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. PMS 400D-98-01, REV 3-10, except as noted herein, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE:

[Redacted signature and name area]

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

REQUIREMENTS COGNIZANCE:

[Redacted signature and name area]

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

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90))

I have determined this justification is legally sufficient.

[Redacted signature and name 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 and name 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 Procuring 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).

DIRECTOR, SHIPBUILDING CONTRACTS DIVISION (SEA 022)

[Redacted signature area]

Michael Cotermuth

9/27/2012

Signature Name (Print) Date