DEPARTMENT OF THE NAVY
NAVAL INVENTORY CONTROL POINT

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IN REPLY REFER TO:

SOLE SOURCE JUSTIFICATION FOR SIMPLIFIED ACQUISITION UNDER FAR PART 12

1. IDENTIFICATION OF THE AGENCY AND CONTRACTING ACTIVITY

(a) Contracting Activity:
Department of the Navy
Naval Inventory Control Point – Mechanicsburg
Mechanicsburg, PA 17055-0788

2. NATURE/DESCRIPTION OF THE ACTION:

(a) This Justification and Approval (J&A) will cover the extension of contract N0010404DX407 for an additional 1 year while a new specification for the follow-on requirement is developed, solicited, and awarded on a competitive basis. The purchase description for the next contract will include a requirement for internal mixers to make measurements in the 26.5-40 GHz range. Currently only Rohde and Schwarz has the capability to meet this requirement. A contract extension will enable other test equipment manufacturers to develop a like item thus fostering competition resulting in a lower price and a better quality product. Rohde and Schwarz Inc. the contract-holder has been a responsible supplier for the contract and for multiple historical contracts for the GPETE weapons system. Contract N0010404DX407 is due to expire on 16 Aug 09 and the gap created by the end of the contract and re-compete of the new solicitation would negatively impact supply support for this application. The procurement action will continue the contract for an additional year enabling customers to place orders directly with the NAVICP or via www.navicpmart.org.

(b) The original contract was a 5-year requirements contract. The vendor has mutually agreed to the planned extension. The extension will expire 1 year after the effective date or sooner if a new contract is placed. Due to complications concerning development of a competitive specification a new contract will not be in place until early 2010. The contract has attracted business primarily from NAVSEA , Marine Corp and Army.

3. DESCRIPTION OF THE SUPPLIES/SERVICES:

(a) This J&A covers the acquisition of spare parts in support of the GPETE weapons system.

Nomenclature: Spectrum Analyzer

NSN-7Z 6625-01-522-9603	**P/N FSP-38**	**Qty**	[redacted]	[redacted]
NSN-7Z 6625-01-544-3584	**P/N FSP38-B86**	**Qty**		

Total $3,717,015.00

4. IDENTIFICATION OF THE STATUTORY AUTHORITY:

a. This J&A is based upon the authority of 10 USC 2304(c)(1), as implemented by the Federal Acquisition Regulation 6.302-1.

b. The equipment is only available from Rohde and Schwarz Inc. and currently no other equipment would be able to satisfy the requirement. It is anticipated that several other test equipment manufacturers are developing like technology. A one year extension of the current contract will enable these other contractors to compete on the next and future contracts.

5. DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICIATIONS:

The current Acquisition Method Code is (2G). This acquisition will be negotiated with (82199) Rohde & Schwarz. Only the above will be solicited because the articles to be acquired are a continuation of contract N0010404DX407.

6. GOVERNMENT POINT OF ENTRY:

A synopsis required by FAR 6.302-1 and defined by FAR 5.201 will be advertised electronically for the contract extension.

7. A DETERMINATION OF FAIR AND REASONABLE COST:

The Contracting Officer anticipates that the price to the Government will be fair and reasonable. [redacted] determination has been made by the contracting officer that the price is fair and reasonable.

8. DESCRIPTION OF THE MARKET SURVEY:

The follow-on contract will be awarded only as a result of a fully-competitive solicitation that will test the commercial market place for additional suppliers. A competitive follow-on acquisition will ensure award based upon competitive fair and reasonable pricing.

9. ANY SUPPORTING OTHER FACTS:

The spare parts covered by this acquisition have been supplied by Rohde & Schwarz. and the projected requirements for the extension year will be [redacted] and [redacted] each.

10. LISTING OF INTERESTED SOURCES:

[redacted]

11. ACTIONS TO REMOVE BARRIERS TO COMPETITION:

The follow on contract will be solicited on a full and open competition basis ensuring a thorough test of the commercial market place. A competitive specification is being developed. It isn't completed yet and negotiations are ongoing between engineering activities to finalize the content. The equipment supported by the J&A can only be supplied by Rohde &Schwarz.

12. STATEMENT OF DELIVERY REQUIREMENTS:

(a) Delivery Requirements:

This planned extension will require delivery orders to be delivered 90 days after the date of the contract to primarily NAVSEA and Army customers

13. REFERENCE TO APPROVED ACQUISITION PLAN: An acquisition plan is not required for this acquisition.

14. DOCUMENTATION FOR SPARE/REPAIR PARTS ACQUISITION: the specifications for the above articles have been reviewed and reflect the minimum needs of the government.

TECHNICAL AND REQUIREMENTS CERTIFICATION REQUIRED BY FAR 6.303-1(b)

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

TECHNICAL CERTIFICATION: [redacted]

(Signature) 2 JAN 09

Name and Title: **Gene Champagne** Date

NAVICP code 85342.3C

Phone: (717) 605-3848

REQUIREMENTS CERTIFICATION: [redacted]

(Signature) 5 JAN 09

Name and Title: **Edwin Kohr** Date

NAVICP code 85353.33

Phone: (717) 605-6997

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

I certify that this justification is accurate and complete to the best of my knowledge and belief.

(Signature) [redacted] 6 Jan 09

Name and Title: Jennifer B Dieter Date

NAVICP Contracting Officer

Phone: (717) 605-4446

EXAMINED BY COUNSEL AND FOUND TO BE LEGALLY SUFFICIENT

(Signature) [redacted] 1/12/09
Name and Title: NAVICP –Mechanicsburg Counsel 008 Date
(717) 605-2424

CONTRACTING ACTIVITY APPROVAL BY FAR 6.304 (a)(2)

(Signature) [redacted] 1/15/09
Name and Title: NAVICP Competition Advocate Date
Revised 1-15-09