



DEPARTMENT OF THE NAVY
CRANE DIVISION
NAVAL SURFACE WARFARE CENTER
300 HIGHWAY 361
CRANE INDIANA 47522-5001

IN REPLY REFER TO:

J&A# 10-049
 Code CXMN
 P.R. N00164-10-R-WS40

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

1. Contracting Activity

Naval Surface Warfare Center, Crane Division

2. Description of the Action Being Approved

Award of a Basic Ordering Agreement on an other than full and open competition basis for assemblies, subassemblies, ancillary equipment, testers and associated equipment, product improvements, technical support, logistical support, repair services, design, related systems and subsystem integration, training, drawings, data, and software for the AN/ALQ-218 Tactical Jamming Receiver System and its variants and derivative systems (hereafter referred to as the AN/ALQ-218) to Northrop Grumman Systems Corporation - ES Defensive Systems Division. The authority to act under this Class Justification and Approval expires 30 October 2015.

3. Description of Supplies/Services

The required supplies and services covered under this J&A are for a class of procurement actions for the AN/ALQ-218. The procurement actions consist of assemblies, subassemblies, ancillary equipment, testers and associated equipment, product improvements, technical support, logistical support, repair services, related systems and subsystem integration, drawings, data, and software for the AN/ALQ-218. Additionally, this J&A is inclusive of future derivative/variant equipment resulting from enhancements, obsolescence replacements, and follow on equipment installed as a result of approved Engineering Change Proposals (ECPs). Delivery requirements will be identified in each individual Job Order.

The AN/ALQ-218 is designated as a core system in accordance with 10 U.S.C. § 2464, with organic repair capability to be established at NSWC Crane Division. The subject supplies/services are required to support NSWC Crane in its new role as the repair depot activity for the AN/ALQ-218. The Government's minimum needs have been verified by the certifying technical and requirements personnel.

The estimated funding requirements and appropriations for fiscal years FY10 - FY15 are identified below.

Estimated Dollar Value

	Total
	\$11.5M

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304(c)(1), Only one responsible source.

5. Rationale Justifying Use of Cited Statutory Authority

The AN/ALQ-218 Tactical Jamming Receiver System is one of the critical components providing [REDACTED] capability for the Navy's [REDACTED] NGC-ES's AN/ALQ-218 serves to identify enemy emitter locations (e.g., enemy radar sites), resulting in the suppression and/or attack of these emitters through the use of the [REDACTED]

NGC-ES is the original equipment developer and supplier of the 1st & 2nd generation AN/ALQ-218 systems, and maintains a high degree of technical expertise of its capabilities. NGC-ES is currently supplying the 2nd generation AN/ALQ-218 to the Navy's [REDACTED] and also maintains the 2nd generation AN/ALQ-218 production and repair facilities.

Utilizing another source would result in substantial duplication of costs in accordance with 10 U.S.C. § 2304(c)(1), FAR 6.302-1(a)(2)(iii)(A) as the Government does not own the complete Level III Technical Data Package associated with the AN/ALQ-218. The costs incurred by the Government for the development, test, and integration of the 2nd generation AN/ALQ-218 into the [REDACTED] is \$268M, with these costs being incurred under a Boeing/NGC subcontract under the [REDACTED] System Development and Demonstration (SDD) contract (N00019-04-C-0005) awarded to Boeing in 2004. Furthermore, the development of the 2nd generation AN/ALQ-218 was leveraged from NGC-ES's experience developing the 1st generation AN/ALQ-218 used on the [REDACTED]. Thus, the duplication of cost for another vendor to develop, test, and integrate a substitute item into the [REDACTED] as well as to re-conduct laboratory, ground, and flight tests from component level testing through full-up [REDACTED] weapons system performance flight testing to qualify a substitute item for in-flight use is well in excess of the \$268M in costs to NGC for the 2nd generation AN/ALQ-218 under N00019-04-C-0005.

In addition, award to another source would lead to debilitating schedule delays to the standup of the 2nd generation AN/ALQ-218 Repair Depot at NSWC Crane, resulting in a breach in meeting federal law. Presently, the Government has until September 2013 to standup the subject repair depot at NSWC Crane in order to comply with 10 U.S.C. § 2464, Core Logistics Capability, which requires that the Government have the technical competence, equipment, and facilities to support repair of critical weapon systems within four years after initial operating capability (IOC) is established (IOC took place in September 2009). The time for another vendor to develop, test, integrate a substitute item into the [REDACTED] as well as the time to re-conduct laboratory, ground, and flight tests from component level testing through full-up [REDACTED] weapons system performance flight testing to qualify a substitute item for in-flight use, is well in excess of the 6 years that NGC has taken to conduct the tasking associated with the 2nd generation AN/ALQ-218 under N0001904-C-0005. This would result in 10 U.S.C. § 2464 not being met until well after 2016, a three-plus year delay to the Government in achieving Core Logistics Capability in accordance with 10 U.S.C. § 2464.

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

A synopsis was issued on 19 February 2010 as a sole source to NGC-ES Baltimore. There has not been interest or inquiries received from any other contractors. It is not practicable, for the reasons discussed in paragraph 5 above, for any company other than NGC-ES to provide the required supplies and services.

Any new requirements to the existing BOA will be synopsisized and published in FEDBIZOPS in accordance with FAR 5.201. New request for proposals will be posted to the World Wide Web and any interested sources will be able to obtain a copy via the electronic means. The BOA will be synopsisized on a annual basis, any response to the annual synopsis will be considered.

7. Determination of Fair and Reasonable Cost

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

8. Actions to Remove Barriers to Competition

For the reasons set forth in Paragraph 5, Naval Surface Warfare Center, Crane Division 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, Naval Surface Warfare Center, Crane Division will assess whether competition for future requirements is feasible. The circumstances surrounding the need to obtain the required supplies/services without providing full and open competition will be reviewed annually by the Procuring Contracting Officer (PCO)

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 data, including Acquisition Plan No. 265-2008-10-08-R1 dated 04 May 2009, 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 (NMCAG 5206.303(90))

I have determined this justification is legally sufficient.

[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 Competition Advocate for 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).

NSWC CRANE COMPETITION ADVOCATE APPROVAL

Signature REGGIE JAVIN Date 9-2-10