



DEPARTMENT OF THE NAVY

CRANE DIVISION
NAVAL SURFACE WARFARE CENTER
300 HIGHWAY 361
CRANE, INDIANA 47522-5000

IN REPLY REFER TO:

J&A Number: 10-083
Code: CXMP
P.R. Number: N00164-11-R-JT12

**JUSTIFICATION AND APPROVAL (J&A)
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION**

JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center, Crane Division (NSWC Crane), Contract Operations Division, CXMP.

2. Description of the Action

Award of an Indefinite Delivery Indefinite Quantity (IDIQ) contract on a sole source basis for system repairs in support of Mini Jammer 08 Bravo (MJ-08B) Electronic Attack (EA) systems to L-3 Communications, Applied Signal & Image Technology (L-3 ASIT), 613 Global Way, Linthicum Heights, MD 21090-2258. Authority to act under this J&A expires 5 years from date of award.

3. Description of Supplies/Services

L-3 ASIT will provide uniquely tailored evaluation, calibration, and repair services for the MJ-08B. The required services include, but are not limited to repair and replacement of unit subsystems, failure analysis and reporting, proprietary circuit boards, and critical internal cable assemblies.

The estimated dollar value of this procurement is \$500,000 U.S. dollars for a 5 year period of performance.

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

Estimated Dollar Value

Funds	Year 1	Year 2	Year 3	Year 4	Year 5	Total
O&M	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$500,000

4. Statutory Authority Permitting Other Than Full and Open Competition

10 USC 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

Marine [redacted] are using the MJ-08B EA system in Operation Iraqi Freedom (OIF), Operation Enduring Freedom (OEF) and other locations. The MJ-08B EA comprises an integral part of the [redacted] baseline system, an accredited USMC tactical signal intelligence system. Currently, the MJ-08B is the exclusive EA system in use until a suitable replacement is selected, produced, and procured. L-3

ASIT is the OEM of this product and no other vendors possess the maintenance capabilities or their diagnostic and repair expertise to meet the Government's minimum needs.

The Government requires the Mini Jammer-08 Bravo units to be repaired and calibrated. L-3 ASIT has the resident knowledge and expertise to repair the MJ-08Bs. The Government owns [REDACTED] MJ-08B systems along with an incomplete, low detail, level 1 technical data package and unlimited data rights. However, the technical data package does not include enough detail to actually repair the equipment. L-3 ASIT is the owner of the necessary technical data, and is not willing to sell or license the same. It is estimated that it would cost the Government \$500,000 for 9 months of engineering and drafting labor to update and complete the documentation to the level required to solicit competition or repair internally. This \$500,000 cost is estimated based on the current condition of the technical data package purchased from L-3. In order to properly use this incomplete data package, we would have to fund the reverse engineering of the MJ-08B. This figure is a very rough estimate assuming it would take three to five engineers, including senior engineers, approximately 9 months of labor to complete. The time required to finalize the drawings and certify another company to meet the repair needs would exceed the time required for maintenance, repair and fielding of operational units and therefore would compromise government expeditionary missions.

The [REDACTED] has a requirement for additional MJ-08B systems however L-3 ASIT is not willing to restart production of MJ-08B systems. The development of a replacement system is currently underway. The USMC [REDACTED] has a requirement for [REDACTED] MJ-08B systems that current inventory will fulfill. The MJ-08B will be transitioned to the [REDACTED] Program following the successful fielding of the MJ-08B replacement for the USMC [REDACTED]. Maintaining the MJ-08Bs for the [REDACTED] is more cost effective for the Government than procuring the same system that the USMC [REDACTED] plans to field.

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

The proposed contract was synopsisized October 08, 2010 IAW FAR 5.2, Synopsis of Proposed Contract Actions, via posting on the Federal Business Opportunities (FedBizOps). No additional market research was conducted because it is not practicable for the reasons discussed in paragraph 5 above, for any company other than L-3 ASIT to provide the required supplies and services.

7. Determination of Fair and Reasonable Costs

IAW FAR 6.303-2(a)(7) 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

For the reasons set forth in Paragraph 5, NSWC Crane Division has no plans at this time to compete future contracts for the types of supplies and services covered by this document. If another potential source emerges, NSWC Crane Division will assess whether competition for future requirements is feasible. Additionally, the circumstances surrounding the need to obtain the required supplies and services without providing full and open competition will be reviewed annually by the Procuring Contracting Officer (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 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 and Name/Title/Phone/Date fields]

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

REQUIREMENTS COGNIZANCE:

[Redacted Signature and Name/Title/Phone/Date fields]

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/Title/Phone/Date fields]

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

APPROVAL BLOCK (FAR 6.304 for Approving Official)

IAW FAR 6.303-2(a)(12), I certify that this justification is accurate and complete to the best of my knowledge and belief. Upon the basis of the above justification, I hereby approve, as Contracting Officer for the Contracting Activity, the solicitation of the proposed procurement(s) using of other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

[Redacted Signature and Name/Title/Phone/Date fields]

Signature Name (Print) Date

Julie Wittmer, CXMP

10/14/10