



DEPARTMENT OF THE NAVY

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

IN REPLY REFER TO:

J&A Number: 12-054
Code: CXMN
P.R. Number: N00164-12-G-WS62

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

1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center (NSWC), Crane Division

2. Description of the Action Being Approved

Award of a basic ordering agreement on a sole source basis for supplies and services in support of the Communications Electronic Attack Surveillance and Reconnaissance (CEASAR) System's AN/ALQ-227 Communication Countermeasure Set Variant to Raytheon Company. Authority to act under this class justification expires 30 April 2017.

3. Description of Supplies/Services

The procurement actions consist of assemblies, subassemblies, ancillary equipment, product improvements, technical support, logistical support, repair services, related systems and subsystem integration, and test equipment associated with the CCS Variant and other variant or derivative systems. The purpose of this tasking is for a follow on contract for the Contractor to build Extended Communication Countermeasure Sets (E-CCS) and to provide engineering and technical support for the integration and test of these E-CCS units into the MQ-1C Gray Eagle or similar Unmanned Air System, as well as other any other engineering and technical support needed for the Communications & Electronic Attack Surveillance & Reconnaissance (CEASAR) system. The contractor shall build, perform acceptance testing, and deliver a minimum of two each E-CCSs. The estimated maximum number of E-CCSs to be procured is 15 each. The E-CCSs shall be built in accordance with Part Number 37695/902938-803. The E-CCS system is a follow on to the Navy's CCS system built by

Raytheon Corporation as the sole source developer and supplier of the CCS system.

The Government's minimum needs have been verified by the certifying technical and requirements personnel. The estimated requirements and appropriations for fiscal years FY12 - FY17 are identified below.

Estimated Dollar Value

	FY12	FY13	FY14	FY15	FY16	FY17*	Total
RDT&E	\$0.25M	\$0.25M	\$0.0M	\$0.0M	\$0.0M	\$0.0M	\$0.5M
Other Procurement, Army	\$1.6M	\$3.2M	\$2.4M	\$2.4M	\$1.6M	\$0.8M	\$12.0M
							\$12.5M

*FY 17 funding to cover only half of fiscal year, up to end of justification expiration date.

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 CEASAR System provides electronic attack capabilities in a modular, lightweight pod design, with this pod design being better suited for retro-fitting existing aircraft as well as unmanned aerial vehicles with electronic attack capability. One of the primary components of the CEASAR System is the CCS variant, which is essential to the CEASAR System's electronic attack capabilities. The CCS variant was based off of the AN/ALQ-227 CCS, with the AN/ALQ-227 CCS being one of the primary components of the EA-18G's electronic attack capabilities. Raytheon Company developed both the AN/ALQ-227 CCS and the CCS Variant using a combination of mixed funding to develop some components and using its own funding to develop other components. The JTS Core Framework Version 2.0 Software, the Extended Waveform Generator (EWG) Waveform Architecture and Design, the EWG firmware, the 2nd RF Output Module Architecture were all developed at private expense.

Pursuant to 10 U.S.C. § 2304(c)(1), FAR 6.302-1(a)(2)(iii)(A), utilizing another source would result in substantial duplication of costs. Under the EA-18G System Development and Demonstration

contract (N00019-04-C-0005), the Navy incurred \$48.4M for the development, test, and integration of the AN/ALQ-227 CCS into the EA-18G, which was inclusive of all laboratory, ground, and flight tests from component level testing through full-up EA-18G weapons system performance flight testing. Furthermore, \$6M has been incurred under contracts H94003-04-D-0006-0142 and N00164-10-G-WS13-0001 & 0004 to develop and test the CEASAR System's CCS Variant. The Government does not have the funds needed to develop another manufacturer's product in order to compete the current effort.

According to the requiring technical activity (RTA) the majority of the \$54.4M incurred cost associated with the EA-18G's AN/ALQ-227 CCS and the CEASAR System's CCS Variant would have to be duplicated for another vendor to develop a substitute item as -

(1) The Government does not own a complete set of Production drawings for the technical data package and Raytheon is unwilling to sell or license it to the Government; the Government does not possess rights to the components that Raytheon developed with its own funding. Without the privately developed software and firmware, the technical data package is incomplete for competition purposes.

(2) All laboratory, ground, and flight tests from component level testing through full-up EA-18G weapons system performance flight testing and CEASAR system flight testing would have to be repeated to qualify a substitute item; and

(3) Prototype units would have to be procured in order to ensure the functionality and manufacturability of the substitute item.

In the RTA's opinion based on the aforementioned information, the estimated duplication of cost is so high that it will not be recouped through competition. The duplication of time associated with developing a complete Level III Technical Data Package, as well as conducting the subject laboratory, ground, and flight tests to qualify a substitute item, would be a minimum of two years. This duplication of time would result in the Army being unable to test and procure additional CEASAR Systems for the MQ-1C Gray Eagle, resulting in a lack of electronic attack capability to support ground troops in the applicable theater of operations, which would either reduce the number of missions that are able to be carried out and/or result in the execution of missions without this electronic attack support, thereby increasing the potential loss of life.

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

A synopsis was issued on the Federal Business Opportunities website on 19 March 2012. No additional market research was conducted by the RTA as it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Raytheon Company to provide the required supplies and services.

Individual or classes of orders to be issued under this BOA will be published on the FEDBIZOPS website. Any responses received will be considered.

7. Determination of Fair and Reasonable Costs

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, 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.

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 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))

[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 Competition Advocate for 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).

NSWC CRANE COMPETITION ADVOCATE APPROVAL

[Redacted signature area]

Signature Name (Print)

KELLY SIFFIN

5/21/12
Date