



DEPARTMENT OF THE NAVY
NAVAL SURFACE WARFARE CENTER
CARDEROCK DIVISION

CARDEROCK DIVISION HEADQUARTERS
DAVID TAYLOR MODEL BASIN
9300 MACARTHUR BOULEVARD
WEST BETHESDA, MD 20817-5700

IN REPLY REFER TO:

J&A Number: 3321.08.012
Code: 7303
P.R. Number: 08-LJL-064

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

JUSTIFICATION

1. Contracting Activity

Naval Sea Systems Command, Naval Surface Warfare Center, Carderock Division (Code 3321)

2. Description of the Action Being Approved

This is a sole source action to be awarded without providing for full and open competition. The proposed contract action is a follow-on Indefinite Delivery/Indefinite Quantity, Cost Plus-Fixed Fee (Completion) type contract that provides for the issuance of Task Orders during the period from date of award of the contract through sixty months thereafter. The contract is to be awarded to:

University of Washington
The Applied Physics Laboratory (APL)
Seattle, Washington 98105

3. Description of Supplies/Services

The Contractor shall provide scientific, engineering and technical support services required for design, development, fabrication, test, repair, fleet implementation, and documentation of the AN/BQH-9(V) Signal Data Recording Set (SDRS), AN/BQH-5(V)4 Data Gathering Set (DGS), AN/UNQ-9 Tactical Data Recorder (TDR), and Tape Processing System (TPS).

Additionally, the Contractor shall design and develop interfaces that condition and format the unique set of inputs that are required for the tactical recording process on board Navy submarines. These interfaces will then be cabled to the above-mentioned recorders to complete the recording requirements. Units will then be fabricated, tested and delivered ready for shipboard installation. The Contractor will modify the existing system

documentation package to incorporate all new designs. The Contractor shall also assist the Government in performing physical and functional audits of the hardware and drawings.

The period of performance for this contract is sixty (60) months from the date of contract award. The period of performance for individual task orders under the contract shall be specified on each individual task order.

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

The estimated dollar value of this procurement is \$28.1 Million as indicated below:

Estimated Dollar Value (\$M)						
	FY09	FY10	FY11	FY12	FY13	Totals
RDT&E	1.2	1.4	1.4	1.6	1.6	7.2
O&MN	4.0	4.1	4.2	4.2	4.4	20.9
Totals	5.2	5.5	5.6	5.8	6.0	28.1

4. Statutory Authority Permitting Other Than Full and Open Competition

The statutory authority permitting other than full and open competition is 10 U.S.C. 2304(c)(1), 'Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements' in accordance with FAR 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority

This procurement is a follow-on contract for which there is no other source to award to.

The AN/BQH-9(V) SDRS, AN/BQH-5(V)4 DGS, and AN/UNQ-9 TDR are stand-alone systems currently being designed, built, upgraded and/or maintained by APL/UW to measure acoustic and support data from designated SSN/SSBN ship systems. APL/UW previously designed these systems under the following Navy contracts: N00039-91-C-0072, N00039-96-D-0061, N00167-98-D-0039, and N00167-03-D-0024. Therefore, this organization has the knowledge base and the experience required to provide the follow-on systems. In addition, APL/UW developed and holds all current design documentation and drawings for these systems that give them proprietary rights in data. Level III technical data packages (for the systems covered under this procurement), that would include detailed information on requirements specifications, engineering descriptions, drawings, and system Factory Acceptance Testing, suitable for full and open competition have not been developed. There is insufficient program funding to develop full Level III drawings for these systems and the drawings that do exist are at Level II. Level III drawings would be required for any other contractor to produce identical systems. As the system designer, APL/UW would not require Level III drawings.

The AN/UNQ-9 TDR was selected as the long-term Tactical Data Recording System to maximize commonality among submarine classes. An SSN variant of the AN/UNQ-9 TDR was developed, and 54 systems were built by APL/UW. In addition, 10 playback only systems were procured. To date, 18 Engineering Changes to the initial AN/UNQ-9 basic design have been required.

Upgrades to ship sonar systems led to the development of AN/BQH-9(V) SDRS systems. With continued modernization of submarine sonar and combat systems, numerous Engineering Changes were developed and implemented in the AN/BQH-9(V) SDRS systems. There are currently five variants of the AN/BQH-9(V), which collectively have 25 Engineering Changes implemented from the baseline design.

APL/UW has been designated by the Navy as the Design Agent (DA) and Depot/Repair facility for the above-mentioned systems. Accordingly, they are required to provide engineering support to the Navy in maintaining these systems for operational use throughout the life cycle of these systems.

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

A synopsis of this proposed procurement was published on the Federal Business Opportunities (FEDBIZOPS) web page on 02 June 2008 in accordance with FAR 5.2. To date, no sources have responded to the original notification. However, due to delays in receipt of a complete procurement package since original synopsis, this procurement was re-synopsized on 20 March 2009. Any inquiries to the re-synopsis will be evaluated at that time. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any contractor other than APL/UW to provide the required supplies and services.

7. Determination of Fair and Reasonable Costs

The Contracting Officer (CO) will determine if the anticipated costs to the Government for the supplies/services covered by this J&A will be fair and reasonable.

8. Actions to Remove Barriers to Competition

For the reasons set forth in Paragraph 5, NSWCCD 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, NSWCCD 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 AND REQUIREMENTS CERTIFICATION - (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance, that are included in this justification and its supporting data, including Acquisition Plan No. 3321-08-012.1, except as noted herein, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE:

Division Head

[Redacted Signature and Name]

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

REQUIREMENTS COGNIZANCE:

Technical Operations Manager

[Redacted Signature and Name]

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

LEGAL SUFFICIENCY REVIEW (NMCAG 5206.303(90))

I have determined that this justification is legally sufficient.

[Redacted Signature and Name]

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]

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 Director of Contracts, Naval Sea Systems Command, 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)

TITLE OF APPROVING OFFICIAL:



Signature

Jessie Runder
Name (Print)

9/9/09
Date