



## DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND  
NAVAL SURFACE WARFARE CENTER  
CARDEROCK DIVISION

9500 MACARTHUR BOULEVARD  
WEST BETHESDA, MD 20817-5700

IN REPLY REFER TO:

J&A Number: 4111-13-027-00

Code: 4111

PR Number: 1300323513

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

#### JUSTIFICATION

##### 1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center, Carderock Division (NSWCCD), Code 4111.

##### 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 new Firm Fixed Price contract to be awarded to UTC Aerospace Systems (formerly Goodrich Polymer Division), 6061 Goodrich Blvd, Jacksonville, FL.

##### 3. Description of Supplies/Services

The proposed acquisition is for a total of 18,450 pounds of a two-part polyurethane known as NGD-9 (12,150 pounds of A-Side; 6,300 pounds of B-Side). The material will be delivered sixteen (16) weeks after contract award. The total estimated amount of this procurement is \$265,950.00.

The material will be procured using FY13 RDTE funding.

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

##### 4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304(c)(1), Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements (FAR 6.302-1).

##### 5. Rationale Justifying Use of Cited Statutory Authority

NGD-9 is the only approved material listed in the Conformal Acoustic Velocity Sonar/Large Vertical Array (CAVES/LVA) approved Operations Alteration (OP-ALT) package drawings, and this material procurement is needed to support CAVES/LVA platform availability.

The material specification is prepared and cited in NAVSEA Drawing 690 6726599, Rev. A. 18 AUG 1995. "Two-Part Polyurethane Material Procurement Specification (U)" (CONFIDENTIAL).

UTC Aerospace Systems is the only approved vendor for this material per the NAVSEA Drawing and the CAVES/LVA OP-ALT engineering drawing packages because they own the patent rights to NGD-9 and they have not licensed the rights to the Government or any other vendors to manufacture this material.

This material has been purchased from UTC in the past, and prices are in-line with historical acquisitions. Additionally, Naval Surface Warfare Center, Carderock Division, Code 7210, performs QA testing prior to receipt of material to ensure material performance meets or exceeds performance specifications.

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

The proposed acquisition will be synopsisized in the Federal Business Opportunities (FedBizOps) website in accordance with FAR 5.2. Any responses received as a result of the synopsis will be evaluated. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than UTC to provide the required supplies.

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, Code 41 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.

J&A Number:

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. NA, except as noted herein, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE:

[Redacted Signature Line]

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

REQUIREMENTS COGNIZANCE:

[Redacted Signature Line]

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 Line]

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 Line]

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 (Senior Procurement Executive of the Navy, Designee of the Head of the Procuring Activity, Designee of the Head of the Contracting Activity, Competition Advocate for the Procuring Activity, Contracting Officer, as appropriate) 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).

(TITLE OF APPROVING OFFICIAL)

[Redacted Signature]

*Mathew C. Bonner* Contracting Officer (411) 301-227-1302

Signature

Name (Print)

Date

3/26/13