



DEPARTMENT OF THE NAVY
INDIAN HEAD DIVISION NAVAL
SURFACE WARFARE CENTER
3767 STRAUSS AVENUE
SUITE 201
INDIAN HEAD, MD 20640-5150

J&A Number: 10-0146
Code: C12
P.R. Number: N00174-10-PR-0586

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

JUSTIFICATION

1. Contracting Activity

Naval Surface Warfare Center, Indian Head Division, (NSWC IHD), Indian Head, Maryland, Contracts Division C12.

2. Description of the Action Being Approved

Award a contract on an URGENT sole source basis the procurement of Ammonium Perchlorate (AP) to:
American Pacific Corporation
3993 Howard Hughes Park, Suite 700
Las Vegas, NV 89169

3. Description of Supplies/Services

The Contractor shall provide 50,000 pounds of AP in accordance with [REDACTED]
[REDACTED]

Delivery is required ninety (90) days after award of contract.

Estimated Dollar Value¹

	FY10/11	Totals
WPN		
OPN		
RDT&E	██████████	██████████
O&MN		
FMS		
PANMC		
Total	██████████	██████████

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

The statutory authority cited for this sole source procurement is 10 U.S.C. 2304(c) (2), as implemented by Federal Acquisition Regulation (FAR) 6.302-2, "Unusual and compelling urgency."

5. Rationale Justifying Use of Cited Statutory Authority

NSWC IHD has an urgent requirement to obtain 50,000 pounds of Ammonium Perchlorate (AP). AP is utilized in production mixes as an ██████████ ingredient. These mixes are then loaded into ██████████. These ██████████ are currently playing a ██████████ role in the support operations to the ██████████

NSWC IHD is currently planning to complete production of orders for ██████████. This requirement is due to the urgent need by the US Air Force ██████████. These ██████████ need to be ordered no later than ██████████ to meet the delivery schedule. Cast Products Technology Division mix/cast production schedules are in place to meet the required deliveries. There is enough Ammonium Perchlorate on hand to support production through the end of ██████████. We do not expect a production respite to allow for procuring Ammonium Perchlorate from any supplier other than a vendor who has a proven track record that can meet the current quality and delivery requirements.

If NSWC IHD were not able to get the required amount of Ammonium Perchlorate by the end ██████████ the entire ██████████. In addition to program ██████████ many ██████████. If these ██████████ are not ██████████ and the ██████████ are not replaced, the ██████████ could malfunction causing ██████████.

¹ **IAW NMCARS 5206.304(a)** If the dollar value of the contract is negotiated at a level that exceeds the dollar threshold of the original justification approval authority, a new justification approval shall be obtained from the appropriate approval authority prior to award.

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

No other efforts shall be made at this time to solicit other offers. Due to the compelling urgency to have these items procured, there is not allotted time to accept and review vendors that have not previously been proven in their design capability of the AP.

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

NSWC IHD plans to put future contracts out for competitive bid for the types of supplies covered by this document. Additionally, NSWC IHD will announce sources sought before the end of CY 2010 in an effort to find additional sources for future procurements.

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

TECHNICAL COGNIZANCE:

[Redacted Signature, Name, Title, Phone No., Date]

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

REQUIREMENTS COGNIZANCE:

[Redacted Signature, Name, Title, Phone No., Date]

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, Name, Title, Phone No., Date]

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, Name, Title, Phone No., Date]

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

(TITLE OF APPROVING OFFICIAL)

[Redacted Signature]

RUTH D ADAMS *4/15/2010*

Signature *Name (Print)* *Date*