



DEPARTMENT OF THE NAVY
INDIAN HEAD DIVISION
NAVAL SURFACE WARFARE CENTER
181 STRAUSS AVE
INDIAN HEAD, MD 20646-6028

J&A Number: 07-10004
Code: C13

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, Indian Head Division, Procurement Department, Code C1. This requirement is for the Naval Explosive Disposal Technology Division (NAVEODTECHDIV), Indian Head, Maryland.

2. Description of the Action Being Approved

Award of an Indefinite-delivery Indefinite-quantity (IDIQ) contract on a sole source basis to ITT Industries, Advanced Engineering and Sciences Division, 141 National Business Parkway, Annapolis Junction, MD 20701 to support the operation and maintenance of Joint Service use of Counter Radio Controlled Improvised Explosive Device Electronic Warfare (CREW) fielded hardware, as well as production and depot support of CREW hardware specifically for Joint Service Explosive Ordnance Disposal (EOD) forces.

3. Description of Supplies/Services

This action is to fulfill a need to provide equipment and support for the CREW program. The CREW program provides all military services with an electronic warfare capability to counter the threat from Improvised Explosive Devices (IEDs). The CREW program is comprised of numerous systems which fill the breadth of the electronic warfare needs to include Explosive Ordnance Disposal forces.

This action is five fold:

- 1) Procure [redacted] quantities not to exceed [redacted];
- 2) Procure [redacted];
- 3) Provide post-production maintenance support of [redacted]. This includes Intermediate Level (I-Level) services and Depot Level (D-Level) services;
- 4) Engineering Services; and
- 5) Provide eight Original Equipment Manufacturer Field Service Representatives (OEM FSRs)

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

A breakdown of the estimated costs, inclusive of base and all option years, are as follows:

Procurement
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]

Post-Production Maintenance Support [Redacted]

Estimated Costs:
 Intermediate Level (I-Level) Services (includes OEM FSRs): [Redacted]
 Depot Level (D-Level) Services: [Redacted]
 Training Support Services: [Redacted]
 Engineering Support Services: [Redacted]

Post-Production Support shall begin in FY08 with the period of performance specified on individual task orders.

Total Estimated Dollar Value

	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	Totals
	(\$M)										
OPN	\$15.364	\$46.531	\$62.329	\$53.824	\$41.738	\$15.73	\$4.964	\$	\$	\$	\$240.48
O&MN	\$1.478	\$14.995	\$20.769	\$26.131	\$30.482	\$32.477	\$33.584	\$34.438	\$35.339	\$36.227	\$265.94
Table Total	\$16.842	\$61.526	\$83.098	\$79.955	\$72.22	\$48.207	\$38.548	\$34.438	\$35.339	\$36.227	\$506.42

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.

5. Rationale Justifying Use of Cited Statutory Authority

Electronic warfare is a very specialized field with no non-military (commercial) use for the technology. Nationally, only a handful of contractors exist. [Redacted]
 [Redacted]

J&A Number: 07-10004

In both production cases, the contractor is uniquely situated with a past performance (13 years) of proven technology and designs. Currently, the Technical Data Package does not exist for production level manufacturing, nor does the Government possess the rights to openly compete the systems.

[REDACTED] ITT Industries possesses over 13 years of in depth knowledge and expertise with the employed technology. This includes over 13 years of involvement with the development, detailed design and engineering of numerous hardware systems that utilize unique technologies specifically applicable to the mission required countermeasure systems. ITT Industries is currently the only company that can effectively study, engineer, trouble shoot, repair and maintain the systems in a cost effective and timely manner.

The time required to qualify another source is [REDACTED]. This estimated timeframe is based upon direct contract efforts ITT Industries has performed over numerous years. For the past 13 years, the company has focused on the design, engineering, testing, evaluation, and limited production of capabilities similar to the legacy systems. This experience has given the contractor valuable knowledge, allowing them to gain production efficiencies which have been passed on to the government in cost savings and accelerated delivery schedules.

The cost to the Government to qualify another source is estimated to be, at a minimum, [REDACTED]. This figure represents the total investment by [REDACTED] on the engineering and design of the hardware, firmware, and maintenance procedures and techniques utilized in the technologies associated with the legacy systems. The investment is based on an estimate of direct contract efforts over the past 13 years.

The additional cost and time required to qualify another source would result in unacceptable delays and expenses to deploy critical equipment/hardware in support of all military services and high ranking officials. Due to the criticality of the systems and their worldwide deployment, it is imperative that the systems are repaired as quickly as possible and returned to the theater. ITT's experience with these systems allows them to achieve a turnaround time that would not be feasible with another contractor. To allow for another contractor to perform this effort would severely impact support for these systems.

Delay in this support could result in a continuing and unnecessary loss of life by U.S. service personnel. It would also endanger national security by undermining national and international support for the Global War On Terrorism (GWOT). The cost of a life and the loss of U.S. service personnel are incalculable.

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

NAVEODTECHDIV performs continuous market surveillance for CREW products related to the EOD mission and the Joint Service EOD (JSEOD) requirements. [REDACTED]

NAVEODTECHDIV is also part of the Joint Service IED Task Force. The task force is comprised of Government and Industry experts convening regularly at the Pentagon. The task force handles [REDACTED]. The task force recently commissioned [REDACTED] conduct a market survey of Commercial-Off-the-Shelf (COTS) items electronic countermeasure (ECM) systems that could potentially meet the [REDACTED]. [REDACTED] had also recently completed two other market surveys for the Law Enforcement sector. The [REDACTED] documents are:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

[REDACTED]

[REDACTED]

Electronic warfare is a very specialized field with no non-military (commercial) use for the technology. [REDACTED]

[REDACTED] As such, multiple market surveys were necessary for a comprehensive result. [REDACTED]

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, NAVEODTECHDIV 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, NAVEODTECHDIV will assess whether competition for future requirements is feasible.

This contract will require the contractor to submit proposals for unlimited data rights for the [REDACTED] Should the rights be economically feasible, further purchases and depot support will be openly competed.

J&A Number: 07-10004

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. 06-014, except as noted herein, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE:

[Redacted Signature Block]

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

REQUIREMENTS COGNIZANCE:

[Redacted Requirements Cognizance Block]

LEGAL SUFFICIENCY REVIEW (NMCAG 5206.303(90))

I have determined this justification is legally sufficient.

[Redacted Legal Sufficiency Review Block]

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 Contracting Officer Certification Block]

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as *Navy Senior Procurement Executive*, the solicitation of the proposed procurement using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

[Redacted Approving Official Signature Block]

Signature Name (Print) Date