



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

Procurement Office - Form 13 (Rev 05/12)

J&A Number: 13-0041  
Code: [REDACTED]

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

JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command, NSWC Indian Head Division, Procurement Department  
[REDACTED].

2. Description of the Action Being Approved

Award of a three year contract on a sole source basis to administer and manage a Postdoctoral Fellowship Program which will encourage the involvement of creative and highly trained scientists and engineers in areas of great interest and relevance to the research mission of the Navy and the Department of Defense (DoD) to:

American Society for Engineering Education (ASEE)  
1818 N Street, NW Suite 600  
Washington, D.C. 20036  
(202) 331-3500

3. Description of Supplies/Services

NSWC Indian Head has been tasked to provide basic and applied research, independent evaluation, studies and analysis, demonstration and validation, testing, program management and administrative support to a number of Naval R&D centers and laboratories such as the Space and Naval Warfare Systems Centers (SPAWAR), Naval Undersea Warfare Center (NUWC), Naval Air Warfare Center (NAWC), Naval Sea Systems Command (NAVSEA) and Naval Surface Warhead Centers (NSWC).

The contract will have a period of performance of three years, which consists of a base year and two one-year options. Estimated contract value is \$4, 500,000. Research and Development (R&D), Operational Test and Evaluation and other funding types are anticipated from the sponsors.

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

Estimated Dollar Value<sup>1</sup>

	FY13	FY14	FY15	Totals
SCN				
OPN				
RDT&E	\$1,500,000	\$1,500,000	\$1,500,000	\$4,500,000.00
O&MN				
FMS				
Total	\$1,500,000	\$1,500,000	\$1,500,000	\$4,500,000.00

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304(c)(3). Industrial Mobilization, Engineering, Developmental, or Research Capability.

5. Rationale Justifying Use of Cited Statutory Authority

The application of Industrial Mobilization, Engineering, Developmental, or Research Capability is based on the authority cited in FAR 6.302-3(a)(2)(ii) and the application of FAR 6.302-3(b)(2)(i) and (ii) to establish and maintain an essential research and development capability to be provided by a non-profit institution, ASEE.

The Navy requires support in the areas of scientific research and development (R&D) in advanced technological development, techniques, systems, and relation operation procedures.

This type of support will require highly trained Ph. D. scientists and engineers from many fields of research. To support DoD's research goals, the scientists and engineers will work collaboratively with DoD scientists and engineers to support basic research and applied research in the areas of: detonation science, applied mechanics, computer analysis, modeling and simulation, molecular biology, immunology, biochemistry, physiology, stress physiology, environmental physiology, neuroscience, computational fluid dynamics, material science, energetic material research, inorganic/organometallic synthesis with emphasis on nanoscale materials, molecular self-assembly, thermite and intermetallic systems, organic synthesis, fast combustion, ultrafast spectroscopy, shock and detonation

<sup>1</sup> **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.

physics, chemical and mechanical properties of explosives that affect sensitivity, and molecular dynamics modeling. In addition, the scientists and engineers may be required to perform small testing, visualizations, investigations, development of measurement techniques, comparisons of characteristics of selected subjects and development of new research capabilities.

In 1998, the Postdoctoral Fellowship Programs for NRL and the Office of Naval Research (ONR) were merged into one contract and awarded to ASEE. DoD has now determined it would be more advantageous if each agency hosted a separate contract for this support. ASEE uniquely fulfills our requirements with the combination of two primary factors: ASEE has research and development capabilities that closely align with the existing and emerging technologies for DoD and second, their status as being a nonprofit organization. Through past and current Postdoctoral Fellowship Programs, ASEE already understands the type of research these agencies perform so there will be no learning curve enabling ASEE to immediately become involved with the administration and management of these efforts.

ASEE has extensive experience fostering ongoing relationships among R&D facilities and the university research community. Since 1984, ASEE and the Navy have collaborated on postdoctoral fellowship programs. These programs have brought together the scientific and engineering communities and Navy research and development centers to increase exploratory development at Navy laboratories.

ASEE has over 43 years of experience administering student and faculty fellowship programs and has over 28 years of experience managing programs for the Navy and ONR. Fellowship management is a major activity of ASEE's daily operations and they have a qualified team of managers and support staff whose expertise encompasses the entire range of functions that are required for this effort.

ASEE is a non-profit institution dedicated to the advancement and support of existing and emerging technologies for DoD. The relationship between ASEE and DoD permits an open and honest flow of technical ideas and information during joint development efforts and significantly enhances the transfer of new technologies, products and processes to industry where they can be rapidly incorporated into production activities. This efficient and rapid transfer of technology is a cornerstone of ASEE's not-for-profit business strategy which is supported by many members of the DoD industrial base infrastructure.

This contract is beneficial for the Navy and other DoD agencies because it serves to further the development of existing and emergent technologies. In accordance with FAR 6.302-3(a)(2)(ii), this proposed contract will assist in maintaining an essential research and development capability to be provided by a non-profit institution which is beneficial to the DoD.

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

NSWC IHD did perform market research and was only able to identify two non-profit organizations that deal with postdoctoral fellowships. Those two organizations are ASEE and the National Resource Council (NRC). In order to participate with NRC's Post Doctoral Fellowship program, NSWC IHD must be an NRC certified lab. Currently, NSWC IHD is not certified. It takes months to become certified plus NRC has an inflexible post doctoral on-boarding schedule that will not meet our needs.

In accordance with FAR 5.202(a)(10) this requirement does not need to be synopsisized because this contract action is under conditions described in 6.302-3 Industrial mobilization; engineering, developmental , or research capability.

7. Determination of Fair and Reasonable Costs

The Contracting Officer will determine that the cost to the Government for the services covered by this J&A will be fair and reasonable by using cost and price analysis techniques described in FAR Subpart 15.4, prior to award.

8. Actions to Remove Barriers to Competition

For the reasons set forth in Paragraph 5, NSWC IHD has no plans at this time to compete future contracts for the types of services covered by this document. If another potential source emerges, NSWC IHD will assess whether competition for future requirements is feasible.

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

TECHNICAL COGNIZANCE:

[REDACTED]  
SignatureName (Print) and Title (Code) Phone No. Date

REQUIREMENTS COGNIZANCE:

[REDACTED]  
SignatureName (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]  
SignatureName (Print) and Title (Code) Phone No. Date

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303-90))

I have determined this justification is legally sufficient.

[REDACTED]  
SignatureName (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* 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).

*Competition Advocate*

[REDACTED]  
SignatureName (Print) Date