



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

J&A Number: 10-0185  
[REDACTED]

P.R. Number: N0017410PR0964

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

JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command (NAVSEA), Naval Surface Warfare Center (NSWC), Indian Head Division, Procurement Department, [REDACTED]. This requirement is for the Naval Explosive Ordnance Disposal Technology Division (NAVEODTECHDIV), Indian Head, MD, 20640.

2. Description of the Action Being Approved

This is a request for authorization of a modification to contract N00174-08-D-0021 to increase the ceiling by \$300,000.00 [REDACTED]

The contract was awarded on 29 September 2008 as a result of a competitive solicitation. The total ceiling of the current contract is \$8,062,302.58. This modification will be negotiated with the following contractor:

General Dynamics OTS (Orlando), Inc.  
12644 Research Pkwy  
Orlando, FL 32826-3225

3. Description of Supplies/Services

Following the completion of Government testing [REDACTED] an additional user evaluation was held [REDACTED]. As a result of this evaluation, it was determined that additional design changes are required that were not known and/or addressed [REDACTED]

[REDACTED] The required design changes are essential to increase the operator's safety and reduce the time and effort to setup and complete operations.

The work to be performed under this modification includes GD-OTS planning, analysis, development, and design of these changes [REDACTED]

Estimated Dollar Value<sup>1</sup>

	FY10	Totals
RDT&E	\$300K	\$300K
Total		\$300K

[REDACTED]

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), as implemented by Federal Acquisition Regulations (FAR) 6.302-1, "Only one responsible Source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority

The base contract [REDACTED] was awarded to GD-OTS on 29 September 2008. In the past 19 months, the design has evolved from a paper concept to a working prototype [REDACTED]

Due to the large amount of time (19 months) and funding (\$900K) the Government has already invested in GD-OTS to design and develop [REDACTED], it is unlikely that full and open competition would result in any savings to the Government.

<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.

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

In September 2007, proposals were solicited under full and open competition for the development and production [REDACTED]

[REDACTED] the solicitation was closed in November 2007.

The Statement of work (SOW) and requirements were revised [REDACTED] and a second solicitation was released in June 2008 [REDACTED]

This requirement was synopsised in FedBizzOpps on 30 April 2010. [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 are fair and reasonable by using cost and price analysis techniques described in FAR Part 15.4.

8. Actions to Remove Barriers to Competition

For the reasons set forth in Paragraph 5, Naval Surface Warfare Center, Indian Head Division, 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, Naval Surface Warfare Center, Indian Head Division, will assess whether competition for future requirements is feasible.

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

TECHNICAL COGNIZANCE:

[REDACTED]

REQUIREMENTS COGNIZANCE:

[REDACTED]

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303-90)

I have determined this justification is legally sufficient.

[REDACTED]

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]

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as Contracting Officer for 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).

CONTRACTING OFFICER

[REDACTED]

Signature Renee M. Brown, Contracting Officer

Date 19 May 2010