



**DEPARTMENT OF THE NAVY**  
NAVAL AIR WARFARE CENTER WEAPONS DIVISION  
1 ADMINISTRATION CIRCLE  
CHINA LAKE, CA 93555-6100

575 I AVENUE SUITE 1  
POINT MUGU, CA 93042-5049

IN REPLY REFER TO:  
J&A\_12\_22755

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

1. Contracting Activity.

Naval Air Warfare Center Weapons Division (NAWC-WD) - China Lake, CA

2. Description of the Action Being Approved.

This justification and approval authorizes and approves on an other than full and open competition basis an eight month Firm Fixed Price order to Cellco Partnership, One Verizon Way, Basking Ridge, NJ 07920-1025 under Multiple Award Contract N00244-12-D-0016. This will allow for continued wireless services for 1,400 Data/Air Cards to the Naval Air Systems Command at China Lake and Pt. Mugu, CA. The Fleet Logistic Center (FLC) San Diego (SD) has issued a competitive procurement for wireless services and is the mandated vehicle for procuring these services. The period of performance is 01 October 2012 through 07 May 2013.

3. Description of Supplies/Services.

This proposed order will include services and equipment for users at the Naval Air Warfare Weapons Division (NAWCWD) China Lake and NAWCWD Point Mugu, California. This will include, (1) the ability for all users to send and receive data nationwide, as well as data devices to satisfy all level of user feature capability needs, with minimal inventory; (2) data plans that accommodate various airtime usage and travel patterns while still providing an opportunity to keep costs under control, and minimize administrative burden; (3) standard-operating procedures for processing equipment orders; service activation, deactivation and plan change requests, etc., that expedite the processing of user requests and make maximum use of available technology (email, internet, etc.); (4) access to data features, as part of standard or custom calling plan, or as separately priced additions, whichever represents the most economical and practical alternative for users (email, internet access, etc.); (5) expeditious activation and/or deactivation of service, confirmed in writing by email; (6) activation, and deactivation at no additional charge and no early termination fees shall apply for early termination (7) innovative and emerging technologies (affecting services and devices) in an economic and efficient/timely manner. The estimated value for the eight month period is \$457,600.00.

See Appendix A for Estimated Dollar Value

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.

In accordance with 6.302-1(a)(2)(iii)(A), only Cellco Partnership can satisfy the services required without substantial duplication of costs to the Government that is not expected to be recovered through immediate competition due to the timeframe in which the MAC was awarded. Additionally, if a new carrier were selected at this point in time customers would be without service until for up to six months due to time constraints imposed by NMCI and the timeframe to award an order on a competitive basis. The MAC contract awarded by FLC San Diego was on 08 May 2012 but the ordering procedures were not published for use until 10 July 12. This did not allow a sufficient timeframe to award a follow-on task order for cellular and Blackberry service on a competitive basis prior to 30 September 2012, which is when the current cellular service expires.

Also, as indicated by FLC SD Contract guidance, NMCI transition costs are also a consideration. The Blackberries require NMCI software to operate. The wireless Data/Air Cards require NMCI software to operate. This would require NAWCWD to order new software CLINS from the NMCI Continuity of Services Contract (CoSC) if the service provider for these devices changed. If required to change carriers, new software CLINS would have to be ordered. This cost would be approximately (b)4 under NMCI CLIN: 6940AA for Hardware Installation Service-Locally Connected for 1,400 devices.

Additionally, in order to obtain the new NMCI Air Card software, the NAWCWD NMCI Activity Contract Technical Representative (ACTR) office would need to order, acquire, and track the deployment of these new CLINS, which is estimated at (b)4

Similarly, the Telecommunications group will incur additional costs as a result of deploying new devices and services. The estimated cost is (b)4

Major impacts to the NAWCWD mission would result from the loss of wireless Data/Air Card services as a result of switching carriers due to the required lead time; delivery processes and contractual delivery allowances; and set-up time require to obtain NMCI installation and activation services. This software is required for these devices to function. The short timeframe between expiration of the existing FISC contract and the required start date of the new FLC contract will not allow NAWCWD the time needed to order and deploy the software prior to the end of the current order. Total estimated costs to transition the NMCI service aspect of wireless Data/Air Cards to a new carrier are \$270,000, which is approximately 59% of the cost for the cost for the base period.

In summary, it is not prudent for NAWCWD to incur another 59% of the cost of this service in transitioning nor can the command afford a loss of services of this critical capability. The result would be significant negative impact to the overall NAWCWD mission, and its critical support to the War fighter.

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

The Department of Navy (DoN) Memorandum dated March 13, 2012 from the Deputy, DoN, Chief Information Officer (DDCIO) has mandated using FLC Wireless contracts for all cellular services. The Contracting Officer has determined that this task order represents the best value and results in the lowest

overall cost alternative to meet the Navy's needs while a follow-on task order will be issued as full and open competition under the MAC contract.

7. Determination of Fair and Reasonable Cost.

In accordance with FAR Part 15.402, the Contracting Officer will ensure that all supplies and services provided under this contract are procured at a fair and reasonable price. The contractor will submit a cost proposal with certified cost and pricing data and sufficient information to support the accuracy and reliability of the estimate. The proposal will be reviewed by experienced technical analysts, cost analysts and contract specialists with the aid of necessary field pricing support. The contracting officer will utilize cost and price analysis as the basis for negotiating a fair and reasonable price.

8. Actions to Remove Barriers to Future Competition.

A follow-on competitive solicitation to those contractors under the MAC contract will begin in October 2012 and a new order is expected to be awarded by 08 May 2013.

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## Appendix A

Estimated Dollar Value In Thousands

	FY12	FY13	FY14	FY15	FY16	FY17	FY18	Total
(b)(2)High	0	458	0	0	0	0	0	458
Total	0	458	0	0	0	0	0	\$ 458 k