DEPARTMENT OF THE NAVY

REGIONAL CONTRACTING DEPARTMENT
NAVSUP FLEET LOGISTICS CENTER PUGET SOUND
467 W STREET
BREMERTON, WASHINGTON 98314-5120

CONTROL NUMBER 2013-1

N00406-13-R-3009

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

1. **Contracting Activity.**

NAVSUP Fleet Logistics Center Puget Sound

2. **Description of Action Being Approved.**

The award of a contract on a sole source basis for refurbishment of two Rotational Deployment Mechanisms (RDM) in support of [redacted] (b)(3) and one Rotational Deployment Mechanism in support of [redacted] (b)(3) from Curtiss-Wright Electro-Mechanical Corporation.

3. **Description of Supplies/Services.**

The procurement is for services to refurbish, calibrate, and adjust the Advanced Secondary Propulsion System (ASPS) Rotational Deployment Mechanisms, including training motors. This will include any production, technical, engineering, and troubleshooting services required. These major system components support [redacted] (b)(3) [redacted] (b)(3) Estimated cost for refurbishment services is [redacted] (b) (5) RDMs for [redacted] (b)(3) are to be shipped from Puget Sound Naval Shipyard (PSNS) to Curtiss-Wright to arrive by [redacted] (b)(3) Services are required to be performed within a 60 day period from arrival at Curtiss-Wright facilities for RDM #1 and 80 day period for RDM #2. Delivery of refurbished RDM #1 to PSNS is required to arrive no later than [redacted] (b)(3) [redacted]. RDM for [redacted] (b)(3) to be shipped from PSNS to Curtiss-Wright to arrive no later than [redacted] (b)(3) Delivery of refurbished RDM to PSNS is required to arrive no later than [redacted] (b)(3). Funding is FY13 O&MN.

4. **Statutory Authority Permitting Other Than Full and Open Competition.**

10 U.S.C. 2304(c)(1), Only one responsible source.

5. **Rationale Justifying Use of Cited Statutory Authority.**

The Original Equipment Manufacturer (OEM) is Curtiss Wright Electro-Mechanical Division (EMD), formerly a division of Westinghouse. EMD designed, patented, and built the Advanced Secondary Propulsion System to meet the Navy's technical requirements. Other manufacturers cannot produce similar products or perform similar services because the OEM interface designs are patented and protected from all third parties by Curtiss Wright and the services are performed utilizing proprietary drawings. Similar products would jeopardize the safety and operational parameters required by Navy technical operational requirements. The RDM refurbishment parts are components to a larger Secondary Propulsion System which is a patented integral motor-propulsor and deployment mechanism. The refurbishment services will utilize RDM parts ordered from Curtiss Wright under contract N00406-09-P-A726 for [redacted] (b)(3) and RDM parts ordered from Curtiss Wright under contract N00406-12-C-2004 for [redacted] (b)(3). The design of the ASPS is proprietary to Curtiss Wright, and only the OEM, with its proprietary drawings, is authorized and can provide the support services needed to obtain the correct system operational functions. Upon completion of the refurbishment, the RDM must meet and ensure no deviation from form, fit, function or design, in order to ensure it interfaces satisfactorily with other system components. The technical services are required to be performed by the OEM, Curtiss Wright, to ensure the proper interface with other system equipment (i.e. control panels, motors) in order for the overall Advanced Secondary Propulsion Unit (ASPU) system to operate efficiently. The ASPS and RDM are specific to the [redacted] (b)(3) and there are no spares available. Reverse engineering and research and development would require multiple years for development for a team of engineers and would not be cost-effective.

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

(a) Sources Expressing Interest.
No additional sources have been identified since the OEM holds all proprietary rights to all technical data and knowledge of systems operations.

(b) Synopsis.
A synopsis and solicitation will be posted to NECO for the current requirement.

(c) Market Research.
No additional market research was conducted because it is not practicable for the reasons discussed in paragraph 5 above, for any company other than Curtiss Wright to provide the required services.

7. **Determination of Fair and Reasonable Cost**.

The contracting officer has determined the anticipated cost to the Government of the supplies/services covered by this J&A will be fair and reasonable utilizing the appropriate methodology for the contract type.

8. **Actions to Remove Barriers to Future Competition**.

For the reasons set forth in Paragraph 5, Fleet Logistics Center (FLC) Puget Sound has no plans at this time to compete future contracts for the types of services covered by this document. If another potential source emerges, FLC Puget Sound will assess whether competition for future requirements is feasible.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

Technical Cognizance:

___See Attached_____ _____ _____ _____
Signature Name (Printed) Phone No. Date

Requirements Cognizance:

___See Attached_____ _____ _____ _____
Signature Name (Printed) Phone No. Date

(If a single individual has cognizance over both technical and requirements information included in the J&A/LSJ, use of only one signature line is encouraged ["Technical Cognizance:" and Requirements Cognizance:" may also be deleted]).

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

(b) (6) [redacted] Chris Lybeck 360-476-5754 10/22/12
Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief. To the extent that the J&A/LSJ value is between $150K and $650K, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

(b) (6) [redacted] V.A. DASHIELL 360-476-7175 10/23/12
Name (Printed) Phone No. Date

CONTRACTING ACTIVITY COMPETITION ADVOCATE REVIEW

To the extent that the J&A/LSJ value is between $650K and $12.5M, the Competition Advocate's signature below also represents approval of the J&A/LSJ.

(b) (6) [redacted] V.A. DASHIELL 3604767175 10/23/12
Name (Printed) Phone No. Date

Approved by Review Board
(b) (6) [redacted]

Approved as to Form & Legality
(b) (6) [redacted] 10/25/12
Counsel

JUSTIFICATION FOR SOLE SOURCE AND/OR URGENT PURCHASE (OVER $150,000)
FLCPS 4200/64 (REV. 7/5/2011)

CERTIFICATIONS

TECHNICAL / REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief and do not contain classified information.

Technical Cognizance	
Name (Printed) Michael Stephens	Phone 627-5073
[redacted] (b)(3)	Date 10/25/12
Requirements Cognizance	
Name (Printed) Marc Rimbault	Phone 627-5267
[redacted] (b)(3)	Date 10/25/12

(Note that this page includes certification that the acquisition planning documents are complete and accurate.)

(If a single individual has cognizance over both technical and requirements information included in this Justification the individual may sign both signature blocks.)

REQUIRING ACTIVITY COMPETITION ADVOCATE (Review required if such an individual has been assigned by the requiring activity.)	
Name (Printed) Robert G. Leal	Phone (360) 476-9359
[redacted] (b)(3)	Date 10/25/2012