

# SOURCE SELECTION INFORMATION - SEE FAR 3.104



DEPARTMENT OF THE NAVY  
NAVAL SURFACE WARFARE CENTER  
PANAMA CITY DIVISION  
110 VERNON AVENUE  
PANAMA CITY, FL 32407-7001

IN REPLY REFER TO

J&A Number: 0089-0025

Code: [REDACTED]

P.R. Number: 92820238

## JUSTIFICATION AND APPROVAL TO PROCURE USING OTHER THAN FULL AND OPEN COMPETITION

### JUSTIFICATION

#### 1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center Panama City Division, Code [REDACTED], 110 Vernon Avenue, Panama City, FL 32407-7001.

#### 2. Description of the Action Being Approved

Authorization to solicit Webcore Technologies Inc., 8821 Washington Church Road, Miamisburg, OH 45342-4449 on the basis of other than full and open competition.

#### 3. Description of Supplies/Services.

This acquisition is for the fabrication of Production Representative Prototype (PRP) Personnel Transport Modules (PTM). The period of performance will be through 30 September 2011. Firm Fixed Price type contracts are anticipated. The total estimated value of this acquisition is \$675,000.00. Fiscal Year (FY) 2010 Research, Development, Test and Evaluation (RDT&E) funds in the amount of \$350,000.00 will be utilized for the initial award. FY 2011 RDT&E funds will be utilized to fully fund the contract when those funds become available.

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

The statutory authority permitting other than full and open competition is Title 10 U.S.C.(c)(5) as implemented by the Federal Acquisition Regulation (FAR) 6.302-5 (Authorized by statute). 10 U.S.C.(c)(5) - The head of an agency may use procedures other than competitive procedures only when subject to subsection (k), a statute expressly authorizes or requires that the procurement be made through another agency or from a specified source, or the agency's need is for a brand-name commercial item for authorized resale.

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

This project is a Phase III Small Business Innovative Research (SBIR) award that is derived from, extends, or logically concludes efforts performed under prior SBIR funding agreements, as described in the following paragraph, and is authorized under 10 U.S.C. 2304(b)(2).

The next-generation composite PTM has been selected for funding under the Defense Acquisition Challenge (DAC) Program. This will be a continuation of the effort started under the Navy Small Business Innovative Research (SBIR) Program to develop a next-generation composite design that overcomes the deficiencies of the current design. Two different companies - Triton Systems and WebCore Technologies, have completed phase I and phase II efforts under SBIR topic N04-091. This DAC will leverage off the Navy's SBIR investment, and the results will help to determine the best-value design between the competing SBIR companies. The intent of the effort under this contract is to perform a SBIR phase III/transition effort to further develop the prototype designs already completed under phase II into a production design, with delivery of a production representative prototype to the Navy for testing and evaluation.

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

The proposed contract was synopsized via posting on the Federal Business Opportunities (FedBizOps) website on 26 October 2009 in accordance with FAR 5.2. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Webcore Technologies to provide the required supplies and services.

### 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, NSWC PCD Code [REDACTED] 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, NSWC PCD Code [REDACTED] will assess whether competition for future requirements is feasible.

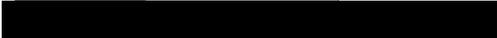
**TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))**

I certify that the facts and representations under my cognizance, which are included in this justification and its supporting 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:**

		
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 Division Head		Date

**REQUIREMENTS COGNIZANCE:**

		
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 Deputy Head		Date

**LEGAL SUFFICIENCY REVIEW (NMCAG 5206.303(90))**

I have determined this justification is legally sufficient.

			
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Name and Title	Code 	Phone	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.

			
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Name and Title	Code 	Phone	Date

**APPROVAL BLOCK (FAR 6.304 for Approving Official)**

Upon the basis of the above justification, I hereby approve, Competition Advocate, the solicitation of the proposed procurement(s) using of other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(b)(2).

(TITLE OF APPROVING OFFICIAL)

			
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Name and Title	Code 	Phone	Date
CHIEF OF THE CONTRACTING OFFICE			