



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: 0112-0032  
Branch [REDACTED]  
P.R. Number 01050906

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

Justification

1. Contracting Activity:

Naval Surface Warfare Center Panama City Division (NSWC PCD), 110 Vernon Avenue, Panama City, FL 32407-7001

2. Description of the Action Being Approved:

Authorization to solicit Concurrent Technologies Corporation (CTC), 100 CTC Drive, Johnstown, PA 15904-1535, on a sole source basis, for continued Carriage, Stream, Tow, and Recovery System (CSTRS) upgrades to initial production (IP) units.

3. Description Of Supplies/Services:

This acquisition is for engineering services in support of the ongoing development and test of the CSTRS to incorporate Airborne Mine Countermeasures (AMCM) capabilities. The overall purpose of this effort is to perform upgrades and modifications to six (6) IP units delivered under previous contracts to Ready for Issue (RFI) status. The estimated amount of the acquisition is \$6,700,000. A contract with a period of performance of twelve (12) months is anticipated. The anticipated contract will be priced on a Firm Fixed Price (FFP) basis. The Government's minimum needs have been verified by the technical and program personnel. The contract will be funded 100% with APN funds.

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, FAR 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority:

This acquisition is sole source for the following reasons. CTC is the designer, developer, and fabricator of the CSTRS system. This is a continuation of work previously obtained under contract N61331-02-D-0042 and N61331-08-C-0025 for the acquisition of engineering services for continued engineering, testing, and repair of a major system or highly specialized equipment, including major components thereof, within the exact meaning of FAR 6.302-1(a)(2)(ii). Given

the complexity of the CSTRS System and the level of system knowledge required to provide continued development and upgrade support of the CSTRS system, CTC is the only source possessing the requisite expertise, internal technical data, equipment, and experienced personnel necessary to successfully provide the engineering, logistics, and testing services to accomplish all tasking. For another contractor to develop the necessary knowledge, expertise and inherent technical data to perform this service at an acceptable level would take several years and would cost the Government in excess of \$2,000,000. This cost is not expected to be recovered through competition if the original source is not utilized for this effort. In summary, there are no other possible sources that can satisfy this requirement without unacceptable cost, schedule and technical risk to the Government.

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

The proposed contract was synopsisized via posting on the Federal Business Opportunities (FedBizOpps) website on May 11, 2010 in accordance with FAR 5.2. The synopsis expressed the government's intent to contract on a sole source basis. There have been no inquiries to this synopsis. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than CTC to provide the support.

7. Determination Of Fair And Reasonable Cost:

The Contracting Officer will determine that the anticipated cost to the Government for the supplies/services covered by the J&A will be fair and reasonable.

8. Actions Taken To Remove Barriers To Competition:

The planned contract is required in order to provide continued MH-60S /CSTRS development, test, and analysis support until the transition to an organic AMCM strategy is completed. For CSTRS, conversion of these requirements to a competitive basis will be accomplished when a production technical data package (TDP) is fully developed, validated, and delivered under a planned contract that is anticipated to be awarded in fiscal year 2012. Upon expiration of that contract, it is anticipated that future contract actions will be competitive in nature contingent on (a) the implementation of the AMCM organic strategy on schedule and (b) acceptance of the MH-60S and CSTRS TDP.

**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. 299-05-01, MH-60S Fleet Combat Support (HC) Helicopter, except as noted herein, are complete and accurate to the best of my knowledge and belief.

**TECHNICAL COGNIZANCE:**

[Redacted Signature Block]

Signature Name (Print) and Title (Code) Phone Date

**REQUIREMENTS COGNIZANCE:**

[Redacted Signature Block]

Signature Name (Print) and Title (Code) Phone Date 5/30/10

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

I have determined that this justification is legally sufficient.

[Redacted Signature Block]

Signature Name (Print) 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.

[Redacted Signature Block]

Signature Name (Print) and Title (Code) Phone Date

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

Upon the basis of the above justification I hereby approve, as Designee of the Head of the Procuring Activity, the solicitation of the proposed procurement using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c) (1).

[Redacted Signature Block]

Signature

CAIDI R. SHAWER  
Name (Print) and Title (Code)

[Redacted Signature Block]

Phone

6/7/2010  
Date