



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

IN REPLY REFER TO:

Code: [REDACTED]
P.R. Number: TBD

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), Acquisition Services Division [REDACTED], 110 Vernon Avenue, Panama City, FL 32407-7001.

2. Description of the Action Being Approved:

Authorization to solicit Motion Control Systems Inc. of New River Industrial Park, New River, VA 24129, for repair support to the MK-8 MOD1 Seal Delivery Vehicle (SDV) Control Motors.

3. Description Of Supplies/Services:

This procurement is for the acquisition of repair support for:

NSN	Part Number	Nomenclature	Quantity
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

The estimated amount of the acquisition is \$1,200,000 at a unit repair cost of [REDACTED] each. The anticipated contract will be a requirements type Indefinite Quantity Indefinite Delivery contract (IDIQ) with provisions for Firm Fixed Priced (FFP) delivery orders. The period of performance will be for five (5) years with an estimated not to exceed (NTE) [REDACTED] repairs per year. The Government's minimum needs have been verified by the technical and program personnel. The contract will be funded 100% with fiscal year 2012 through 2016 Operation and Maintenance Navy (O&MN) funds as follows:

[REDACTED]

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:

Pursant to 10 U.S.C. 2304(c)(1), Motion Control Systems Incorporated is the only responsible source capable of providing the required repairs on the SDV MK-8 MOD 1. The NSWC PCD Maritime Mission Systems Division has the responsibility as the In-Service Engineering Agent (ISEA) for the SDV MK-8 MOD 1 and is responsible for logistics, maintenance and repair support, as supported by the NSWC PCD Operations and Logistics Management Division, for the SDV program. This requirement provides for the repair of SDV Control Motors that are a critical component of the SDV propulsion system. The cost to repair each motor is estimated as a not to exceed amount [REDACTED] per unit. To purchase new SDV Control Motors is estimated at [REDACTED] each. Therefore, it is in the best interest of the Government to repair the SDV Control Motors. This acquisition is unsuitable for full and open competition for the following reasons.

(a) All of the propulsion system Control Motors used on the SDV MK8 MOD1 program were developed by and purchased from Motion Control Systems Inc. These motors contain proprietary engineering technology that no other known manufacturer could duplicate.

(b) The Control Motors are identified on Naval Sea Systems Command (NAVSEA) approved Source Control Drawing 53711-7005369 that identifies Motion Control Systems Inc. as the single source, which preclude substitution of items without comprehensive qualification testing.

As the original equipment manufacturer (OEM), Motion Control Systems Inc. is the only source with sufficient in-depth knowledge of the Control Motor design and configuration that could accomplish repairs. In summary, there are no other possible sources that can satisfy this requirement.

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 4 May 2012 in accordance with FAR 5.2. The synopsis expressed the government's intent to contract on a sole source basis using a Firm Fixed Priced IDIQ contract. 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 Motion Control Systems Inc., the original equipment manufacturer (OEM), to provide the equipment.

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.

Motion Control will provide a firm fixed quote for the evaluation of each motor. Typically these 400 pound motors become corroded with salt water and need to be completely overhauled and all electrical components need to be diagnostically tested. Therefore Motion Controls can offer the Government a Firm Fixed price for each evaluation. Additionally, the Government has historical data to support a price of \$2,309 for each motor evaluation. After evaluation of each motor, Motion Controls will provide a quote to the Government for the repair. The price for repair will be determined fair and

reasonable using Motion Controls published price list and historical data.

8. Actions Taken To Remove Barriers To Competition:

The planned contract is required in order to provide repairs on SDV propulsion system Control Motor component. These items are sole source for the reasons specified in paragraph 5.0 above. Code [REDACTED] will continue market research on the SDV components to help remove barriers to competition in the future.

SIGNATURES FOLLOW THIS PAGE

CERTIFICATIONS AND APPROVAL

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 Signature Line]
Signature Name (Print) and Title (Code) Phone No. Date

REQUIREMENTS COGNIZANCE:

[Redacted Signature Line]
Signature Name (Print) and Title (Code) Phone No. Date

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90))

I have determined that [Redacted]
Signature [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 Signature Line]
Signature Name (Print) and Title (Code) Phone No. Date

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as [Redacted]
[Redacted] Designee of the Head of the Contracting Activity, [Redacted] 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).

(TITLE OF APPROVING OFFICIAL)

[Redacted Signature Line]
Signature Name (Print) Date
CINDY R. SHAWER 6/12/2012