



**DEPARTMENT OF THE NAVY**  
PORT HUENEME DIVISION  
NAVAL SURFACE WARFARE CENTER  
4363 MISSILE WAY  
PORT HUENEME, CALIFORNIA 93043-4307

J & A HUE 12,213  
111.MPP

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

**JUSTIFICATION**

**1. Contracting Activity**

The Naval Sea Systems Command, Port Hueneme Division, Naval Surface Warfare Center (PHD NSWC), Acquisition Division, Code 111.

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

This Justification and Approval (J&A) authorizes and approves the issuance of a contract to BAE Systems Controls Incorporated in support of the Land Attack Department, Code L45.

**3. Description of Supplies/Services**

The proposed contract action is for the procurement of a maximum quantity of 50 Velocimeter MK 5 MOD 0 units in accordance with NAVSEA drawing number 53711-6780099. The Velocimeter MK 5 MOD 0 is mounted on the non-recoiling portion of the Gun Mount MK 45 gun barrel and provides the Gun Computer System MK 160 a measurement of the muzzle initial velocity of the fired projectiles for optimizing ballistic computations. It consists of a single antenna unit which contains an X-Band radio frequency transmitter and receiver, initial velocity processing, and self-test circuits.

It is estimated that an initial 24 units will be purchased upon contract award. All required quantities may be purchased within the sequent four years.

The Government's minimum needs have been verified by the certifying technical and requirements personnel.

The total estimated value of this requirement is \$2,515,325.50.

<b>FUNDING TYPE</b>	<b>YEAR</b>	<b>FUNDED</b>
<b>SCN</b>	<b>2011</b>	<b>\$1,358,275.77</b>
<b>OPN</b>	<b>2011</b>	<b>\$ 804,904.16</b>
<b>FMS</b>	<b>2011</b>	<b>\$ 352,145.57</b>
<b>TOTAL</b>		<b>\$2,515,325.50</b>

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

10 U.S.C. 2304 (c) (1) as implemented by paragraph 6.302-1 of the Federal Acquisition Regulation (FAR), Only one responsible source and no other supplies or services will satisfy agency requirements.

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

Lear Astronics is the Original Equipment Manufacturer (OEM), and owner of the proprietary data rights to this item. Lear Astronics is now part of BAE Systems Controls Incorporated and is actively registered with BAE Systems Controls Incorporated. The Velocimeter MK 5 MOD 0 unit is part of the Gun Weapon System MK 34 and performs required functions to ensure accurate firing of the 5" gun. NAVSEA source control drawing number 53711-6780099, antenna unit, clearly states that Lear Astronics is the only approved source of supply and "a substitute item shall not be used".

The OEM is closing the production line for the MK 5 MOD 0 Velocimeters within the next calendar year. The first two units are required for shipyard installation on board USS NORMANDY (CG60) not later than 2 April 2012. There is approximately a 12 month lead time to manufacture and deliver these units. Failure to procure these units by 31 May 2011, would directly affect completion of Gun Weapon System MK 160 Fire Control Installation and Checkout, directly impacting Combat Systems Ship Qualification Trials and subsequent Fire Control certifications. This would result in major installation delays and funding issues due to forced re-design and qualification of MK 5 Velocimeter.

Due to the proprietary nature of this item, the Government currently has insufficient technical information to pursue acquisition from an alternate source. The unique hardware and software interfaces of the Velocimeter unit would require that any replacement unit undergo evaluation and testing for performance, compatibility, and environmental fitness to ensure form, fit, and function. This extensive testing is cost-prohibitive and therefore, it is not in the best interest of the Government.

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

The requirement was not synopsisized in the Federal Business Opportunities website in accordance with FAR 5.202(a) (2) under the authority of 10 U.S.C. 2304 (c) (2). No additional market research was conducted because it is not practicable for any company other than BAE Systems Controls Incorporated to provide the required supplies as stated in paragraph 5 above.

#### **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 PHD has no plans at this time to compete future contracts for the equipment covered by this document. If another potential source emerges, PHD NSWC will assess whether competition for future requirements is feasible.

**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]

**REQUIREMENTS COGNIZANCE:**

[Redacted]

**LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90)):**

I have determined this justification is legally sufficient.

[Redacted]

OFFICE OF COUNSEL

**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]

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

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

**COMPETITION ADVOCATE FOR THE PROCURING ACTIVITY**

[Redacted]

*Ann Marie Hagan*  
CCO

Phone No.

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*31 May 11*  
Date