

4. Statutory Authority Permitting Other Than Full and Open Competition

The statutory authority permitting other than full and open competition is 10 U.S.C. 2304(c)(1), Only One Responsible Source and No Other Supplier or Services Will Satisfy Agency Requirements as implemented by paragraph 6.302-1 of the Federal Acquisition Regulation (FAR).

5. Rationale Justifying Use of Cited Statutory Authority

The [REDACTED] is a surface ship combatant missile launcher that stores and launches a variety of missile types. The [REDACTED] acts as the interface between the Weapons Control Systems (WCS) and the launcher. The duties of the [REDACTED] include selecting, preparing and launching missiles, as well as reporting hazards and faults that occur in the launcher.

The software programs that reside within the launch computers are designed to exclusively operate with specific assemblies manufactured by Sabtech (Sabtech NTDS CCA). Procuring the NTDS CCAs from a manufacturer other than Sabtech will involve changing the software and retesting/re-qualifying the LCU. The necessary retesting/re-qualifying would also involve integration testing with all [REDACTED] and the [REDACTED] electronics which would result in costly delay, as described below. To maintain compatibility within the Fleet, all software upgrades must be designed to the same NTDS CCA and to date, there is only one qualified source Sabtech Industries.

The award of this contract to any vendor other than Sabtech Industries would result in approximately 2 years of additional engineering and manufacturing at an estimated total cost of \$1,800,000.00. To ensure that any new sources are capable of producing a product that meets the established performance requirements, the Government will have to incur the costs to conduct the Requirements and Functional Evaluation, Confidence Testing, Functional Testing, Environmental Qualification Testing, Configuration Management, First Article Testing and Physical Configuration Audits. In addition, the Navy would also have to incur the cost of having the Technical Design Agent (TDA) monitor and oversee the production line and provide Technical Data Package (TDP)/specification subject matter expertise. The additional efforts for design, development, testing and evaluation would severely hamper the Navy's efforts in providing the circuit boards to be used for the [REDACTED] to the fleet in a timely matter. The additional cost and delay in schedule are both unacceptable to the [REDACTED]

Sabtech Industries is the only company with sufficient breadth and depth of technical knowledge, technical data, control specification, and design familiarity needed to supply the NTDS Type E Circuit Board Assemblies (CCA) and the NTDS Type D Circuit Board Assemblies (CCA) to be used for the [REDACTED]

[REDACTED]. No other firm possesses the prerequisite design specifications and technical data for these types of circuit board assemblies as this information is proprietary of Sabtech Industries. The Government does not possess full legal rights to the design specifications or technical data for these circuit board assemblies.

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

The proposed acquisition was synopsisized in the Federal Business Opportunities (FedBizOpps) website on 17 June 2011 in accordance with FAR 5.2. GET Engineering expressed an interest in submitting an unsolicited proposal which will be evaluated if received.

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, Naval Sea Systems Command, Naval Surface Warfare Center, Carderock Division has no plans at this time to compete future contracts for the types of supplies/services covered by this document. If any potential sources emerge, NSWCCD [REDACTED] [REDACTED] will assess whether competition for future requirements is feasible.

A performance specification will be written once the technology developed under this contract is proven. Any qualified vendor will have the ability to build and test NTDS Types E and D Circuit Board Assemblies (CCA) on the requirement set forth in the performance specification.

TECHNICAL AND REQUIREMENTS CERTIFICIATION – FAR 6.303-2(b)

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

COMBINED TECHNICAL AND REQUIREMENTS COGNIZANCE:

[Redacted] 7/2/11

	Code	Telephone Number	Date
[Redacted]			
[Redacted]			

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90)):

I have determined that this justification is legally sufficient.

[Redacted] 7/11/2011

	Code	Telephone Number	Date
[Redacted]			

CONTRACING 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] 7/18/2011

	Code	Telephone Number	Date
John Strano Contracting Officer			