DEPARTMENT OF THE NAVY
NAVAL SURFACE WARFARE CENTER
CARDEROCK DIVISION

J&A Number:
Code:
P.R. Number:
Date:

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

JUSTIFICATION

1. Contracting Activity

Naval Sea Systems Command, Naval Surface Warfare Center, Carderock Division (Code 3352).

2. Description of the Action Being Approved

This is a Brand Name Justification to be awarded without providing for full and open competition. The proposed contract action is a new Firm Fixed Price contract for Eaton brand circuit breakers in support of the Shore Power System.

3. Description of Supplies/Services

The proposed acquisition will provide for the furnishing of twelve (12) new Eaton AQB-L403 type circuit breakers and twelve (12) new Eaton AQB-L403 circuit breaker motor operators to replace existing Eaton AQB-LL400 type shore power circuit breakers and motor operators. The circuit breakers and motor operators will be used on a DDG-51 class ship.

The 60 Hz Shore Power and Bus-Tie switchboard onboard DDG-51 class ships contains a switchboard section consisting of twelve (12) shore power breakers and twelve (12) shore power circuit breaker motor operators which provide control, operation, and protection of the shore power feeder electrical distribution system. Shore power circuit breakers provide a means for connection to land based shore power and the control and distribution of power throughout the ship when on-line.

The anticipated period of performance is 120 days from the date of contract award. The total estimated value of this acquisition is $168,000.00 of FY12 SCN funds.

The contract to procure the AQB-L403 type circuit breakers and AQB-L403 circuit breaker motor operators shall invoke Government Source Inspection (GSI) at the Eaton Corporation, 1 Tuscarawas Road, Beaver PA, 15009 manufacturing facility and shall be accomplished by the local Defense Contracts Management Agency (DCMA) representative. Breakers and motor operators procured by this contract shall be delivered to:

NSWCCD-SSES
Philadelphia Naval Business Center, Bldg 542
Philadelphia, PA, 19112
Attention: [redacted].

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

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

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**

The Eaton AQB-L403 type circuit breakers and motor operators will be used in a DDG-51 class (DDG-52 thru DDG-83) ship's shore power switchboard to replace existing Eaton AQB-LL400 type circuit breakers and motor operators. Over the last several years, many DDG-51 class ships have experienced multiple failures of AQB-LL400 shore power circuit breakers. In addition, Eaton Corporation is expected to stop making the AQB-LL400 circuit breaker line in the near future. NSWCCD-SSES Code 939 has been funded by [redacted] to install and evaluate the performance of one shipset of the newly developed Eaton AQB-L403 shore power breakers and motor operators on one DDG-51 class ship (DDG-52 thru DDG-83). DDG-51 class ships (DDG-52 thru DDG-83) have twelve each AQB-LL400 shore power circuit breakers and motor operators installed in the shore power switchboard. The AQB-L403 type breaker and motor operator combination are a form, fit and function replacement for the existing AQB-LL400 type circuit breaker and motor operator combination.

SPD Electrical Systems and Eaton Corporation (formerly Westinghouse) are the only current suppliers of mil-spec AQB breakers to the Navy. SPD manufactures an AQB-LF400 and AQB-LF402 style circuit breaker, which are functionally similar to Eaton's AQB-LL400 and AQB-L403 type circuit breakers. Because of significant dimensional differences (see attached MIL-DTL-17361/10B and MIL-DTL-17361/11B), the SPD AQB-LF400 or SPD AQB-LF402 breaker cannot be used as form and fit replacements for the Eaton AQB-LL400. The SPD AQB-LF400 and SPD AQB-LF402 are larger than the Eaton AQB-LL400 and Eaton AQB-L403 and cannot be fit into the exiting DDG-51 class shore power switchboards. The SPD breaker is not interchangeable with the Eaton style breaker. In addition the SPD motor operators are not interchangeable with Eaton motor operators. Thus, market and technical research has determined that no circuit breaker produced by any other circuit breaker manufacturer, other than the AQB-L403 type breaker manufactured by Eaton, meets the form and fit size requirements of the existing Eaton AQB-LL400 circuit breakers currently installed in DDG-51 class shore power switchboards.

Eaton Corporation is the original designer, developer, and sole manufacturer of the AQB-L403 type circuit breaker.

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

The Government will publicize this procurement in the FedBizOpps GPE.

7. **Determination of Fair and Reasonable Costs**

The Contracting Officer has determined that the anticipated costs to the Government for the supplies/services covered by this J&A are fair and reasonable.

8. **Actions to Remove Barriers to Competition**

For the reasons set forth in Paragraph 5, NSWCCD has no plans at this time to compete future contracts for the types of supplies covered by this document. If another potential source emerges, NSWCCD will assess whether competition for future requirements is feasible.

TECHNICAL AND REQUIREMENTS CERTIFICATION - (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, 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 Name (Print) and Title (Code) Phone No. Date

REQUIREMENTS COGNIZANCE:

[redacted]

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

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90))

I have determined that this justification is legally sufficient.

[redacted]

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

CONTRACTING OFFICER CERTIFICATION - FAR 6.303-2(a)(12) (Note: Pursuant to FAR 6.304(a)(1)), this certification also serves as approval of J&A's not exceeding $550,000)

I certify that this justification is accurate and complete to the best of my knowledge and belief.

[redacted] 5/15/12

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

CRAIG T. WRIGHT