



DEPARTMENT OF THE NAVY
COMMERCIAL ACQUISITION, BUILDING 11
NAVAL UNDERSEA WARFARE CENTER DIVISION, NEWPORT
CODE 119, SIMONPIETRI DRIVE
NEWPORT RI 02841-1708

IN REPLY REFER TO:
J&A #: NUWC 12394.0
Control #:092850
PR #:N66604-9078-6742

JUSTIFICATION AND APPROVAL

FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command, Naval Undersea Warfare Center Division, Newport, RI, Commercial Acquisition, [REDACTED]

2. Description of the Action Being Approved

Award of a Small Business Innovative Research (SBIR) Phase III Indefinite Delivery/Indefinite Quantity (ID/IQ) contract on a Sole Source basis to Systems Engineering Associates Corporation (SEA CORP) to support the development and application of Extensible Markup Language (XML) Test Data Analysis Tool (XTDAS) to the VIRGINIA (SSN 774) Class NPES and weapon systems, AN/BYG-1 TI-0X, RAN and other potential FMS Combat and weapon systems, and AN/BSY-2 SCS test programs.

3. Description of Supplies/Services

The Contractor shall extend, evolve, and implement the XTDAS technology developed under SBIR Topic N03-16 to provide a turn-key, fully integrated system that contains a set or subset of components and features such as Target System Protocol Mapping Capability, Test Case Builder Capability, Test Server Automated Test Execution, Automated Test Data Analysis, Automated Test Report Generation and Target System Data Taps.

The funds anticipated for this work will be OM&N, WPN, SCN, OPN, RDT&E, FMS and SPDP from NAVSEA, PEO SUB, PMS

401, PMS 425, PMS 450 and PMS 398. The table below contains the breakdown:

Estimated Dollar Value						
	FY10	FY11	FY12	FY13	FY14	Totals
O&MN	500k	500k	500k	500k	500k	2.5M
WPN	500K	500K	500K	500K	500K	2.5M
SCN	1.0M	1.0M	1.0M	1.0M	1.0M	5.0M
OPN	600k	600k	600k	600k	600k	3.0M
RDT&E	1.5M	1.5M	1.5M	1.5M	1.5M	7.5M
FMS	500K	500K	500K	500K	500K	2.5M
SPDP	250k	250k	250k	250k	250k	1.25
Total	4.85	4.85	4.85	4.85	4.85	24.25

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

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304 (c)(5), Authorized or Required by Statute 15 USC 638(r).

5. Rationale Justifying Use of Cited Statutory Authority

NUWC [REDACTED] identified future NAVSEA Program requirements that could directly benefit by applying the technology developed in the below referenced SBIRs. Specifically the technology could be integrated and tailored to the various Submarine Combat Systems across all NATO and US Submarines and utilized to improve test reporting efficiency, reduce test analysis errors and essentially establish a common at sea test analysis data collection capability.

History of awards to SEA CORP. under SBIR Topic N03-16

Phase I SBIR

Contract #: N00421-03-P-0758

Title: Intelligent Test Data Analysis Technology (IT-DAT)

POP: 6/6/03-3/31/04

Phase II SBIR

Contract #: N68335-04-C-0209

Title: Intelligent Test Data Analysis Technology (IT-DAT)

POP: 7/16/04-12/29/06

This procurement will use the prototype products, processes and methodologies developed by SEA CORP under the SBIR Phase I and II efforts referenced above. Procurement of developmental efforts from SEA CORP covered by this justification is consistent with 15 USC 638(r), which grants statutory authority to award a Phase III contract to the Phase II contractor.

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

Offerors were solicited under the SBIR program. Solicitation #2003.1 was posted on 1 October 2002 at www.dodsbir.net. Sea Corp's proposal was selected for award of SBIR Phase I contract # N00421-03-P-0758. During Phase I Sea Corp's proposal was found feasible and therefore selected to demonstrate its technology and awarded Phase II contract # N68335-04-C-0209.

7. Determination of Fair and Reasonable Costs

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 to Remove Barriers to Competition

Under the SBIR program, the Government may not release or disclose SBIR data to any persons other than its support services contractors during the period commencing with contract award and ending five years after completion of the project under which data was generated.

Per the *Small Business Innovation Research Program Policy Directive* effective 24 September 2002,

"The competition for SBIR Phase I and Phase II awards satisfies any competition requirement of the Armed Services Procurement Act, Federal Property and Administrative Services Act and Competition in Contracting Act. Therefore, an agency that wishes to fund an SBIR Phase III project is not required to conduct another competition in order to satisfy those statutory provisions. As a result, in conducting actions relative to a Phase III SBIR award, it is sufficient to state for purposes of a Justification and Approval pursuant to FAR 6.302-5, that the project is an SBIR Phase III award that is derived from, extends, or logically concludes efforts performed under prior SBIR funding agreements and is authorized under 10 U.S.C. 2304(b) (2) or 41 U.S.C. 253(b) (2)."

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III. IDENTITY OF NEGOTIATOR:

[REDACTED]

Type or Print Name Title Code Phone

IV. APPROVAL SIGNATURES:

A. CONTRACTING OFFICER CERTIFICATION REQUIRED BY FAR 6.303-2(a)(12)

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

[REDACTED]

Type or Print Name Title Code Phone

B. TECHNICAL AND REQUIREMENTS CERTIFICATION REQUIRED BY 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. NA), except as noted herein, are complete and accurate to the best of my knowledge and belief.

(1) [REDACTED]

Type or Print Name Title Code Phone

(2) [REDACTED]

Type or Print Name Title Code Phone

C. LEGAL SUFFICIENCY REVIEW (NMCAG 5206.303(90))

I have determined this justification is legally sufficient.

[REDACTED]

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D. COMPETITION ADVOCATE REVIEW (FAR 6.502)

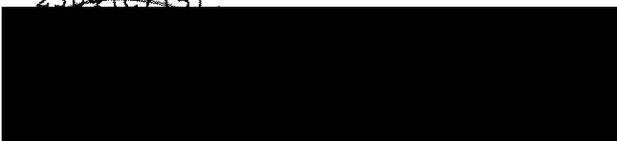
I concur in the justification for solicitation of the proposed procurement using other than full and open competition.



Name _____ Code _____ Phone _____

E. APPROVAL (FAR 6.304)

Upon the basis of the above justification, I hereby approve, as the Designee of the Head of the Contracting 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)(5).



Type or Print Name
Jerome Punderson
Jerome F. Punderson
Director of Contracts

Title
[Redacted]

