



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 12371.0
Control #: 090014
PR #: N66604-8239-7234

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 Department, [REDACTED]

2. Description of the Action Being Approved

Authority is requested to award a five year indefinite-delivery indefinite-quantity (IDIQ) contract with time and material provisions for student services in support of the mission of the Naval Undersea Warfare Center Division, Newport.

This Justification and Approval is requested to restrict competition to only non-profit educational institutions in accordance with *10 USC 2360, Research and Development Laboratories: Contracts for Services of University Students*. The estimated value for this procurement is \$5,465,000.00. The period of performance of this contract will be five years from contract award date.

3. Description of Supplies/Services

This procurement is for technical and engineering student services in support of the mission of the Naval Undersea Warfare Center, Division Newport (NUWC DIVNPT). A student is an individual who is enrolled, or has been accepted for the enrollment, at an institution of higher education during the period in which he/she is providing services to NUWC DIVNPT. This solicitation will be issued to non-profit institutions of higher education. Responsibilities include:

- Recruiting students nationwide.
- Obtaining all necessary security clearances.
- Ensuring students remain in good standing while enrolled in the program.

- Establish and maintain a database system of all resumes which is accessible to the Government via an NMCI computer.
- Implement a coding system with COR approval that will ensure that hires are based on each individual's qualifications.
- Establish and maintain a process for controlling the accurate recording and billing of time worked by students.

Student services shall be within the scope of the types of work described in each individual task order as they relate to the mission of NUWCDIVNPT. NUWCDIVNPT's Statement of Work will be general in nature without specific deliverables, where Government technical personnel will specify general goals of tasks assigned. Tasks shall be performed by responsible undergraduate and graduate students whose educational emphasis and experience is commensurate with the nature and complexity of the task ordered.

Tasks to be performed include, but are not limited to:

- Perform human engineering, psychological, physiological and behavioral studies.
- Perform literature search and review for specified projects; compile and catalog background material; prepare summaries and bibliographies.
- Assist in the design and/or fabrication and/or test and/or documentation of circuit cards/boards and/or other specifically delineated developmental hardware for designated projects and state of the art components; installation and test of developmental hardware.
- Perform data conversion and coding for machine processing incidental to program/project effort, including digitizing information and entering existing hard copy drawings into the CAEDOS.
- Design, develop, test and document computer programs incidental to the performance of a specific program/project or research effort.
- Utilize microprocessors, minicomputers, terminals and graphic displays as tools for data analysis and data reduction in connection with specific research projects.
- Review, analyze and document specific operational procedures; perform feasibility studies. Prepare technical reports documenting the work performed.
- Prepare engineering drawings or schematics for designed projects. Analyze charts, aerial photographs and maps utilizing photogrammetric and cartographic techniques.
- Perform reliability, maintainability, and availability analyses of specified devices or subsystems.

- Perform operation and analysis studies of naval tactics and equipment requiring engineering, operations analysis and computer sciences.
- Analyze existing weapons and sensor systems to determine estimates of performance based on limited information, operations and analysis and engineering studies.

Student services do not include services of an administrative or clerical nature. Performance by students is on Government site at the Naval Undersea Warfare Center Division Newport location. Principal tools and equipment are furnished by the Government to be used by student personnel.

Estimated Dollar Value

The estimated dollar value for this action is \$5,465,000.00. The types of funding that will be used include:

Operations and Maintenance, Navy (O&MN)
 Weapons Procurement, Navy (WPN)
 Other Procurement, Navy (OPN)
 Research, Development, Test & Evaluation, Navy (RDT&EN)
 NUWCDIVNPT Overhead/Service Cost Center (SCC)/CIP with Overhead type funding
 Foreign Military Sales (FMS)

Specific dollar amounts for each type of funding are unknown at this time because each NUWCDIVNPT Code will use the appropriate funding specific to their program needs. Individual task orders will specify the type of funding used and will include a fund certification document.

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 per FAR 6.302-1(a) (2) Using a Limited Number of Responsible Sources.

5. Rationale Justifying Use of Cited Statutory Authority

Per DFARS 237.7302, award authority for student services contracts is *10 U.S.C. 2304(a)1) and 10 U.S.C. 2360.*

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

The solicitation will be posted on FEDBIZOPS and is open to all non-profit institutions of higher education. In past acquisition history, sources such as the University of Rhode Island and University of Massachusetts Dartmouth have provided proposals. The University of

Rhode Island has been the awardee for the past three contracts solicited (N66604-06-D-0006, N66604-01-D-0005 and N66604-95-D-0324).

This action was synopsised in the FedBizOps on 12/05/2008. There have been many inquiries into this synopsis from both the profit and non-profit sectors. It is expected numerous universities will respond to the solicitation. All challenges to this limited competition will be brought to the attention of the Competition Advocate prior to award.

7. Determination of Fair and Reasonable Costs

The Contracting Officer will determine that the anticipated cost to the Government for the procurement of the services/supplies stated in this Justification and Approval will be fair and reasonable.

8. Actions to Remove Barriers to Competition

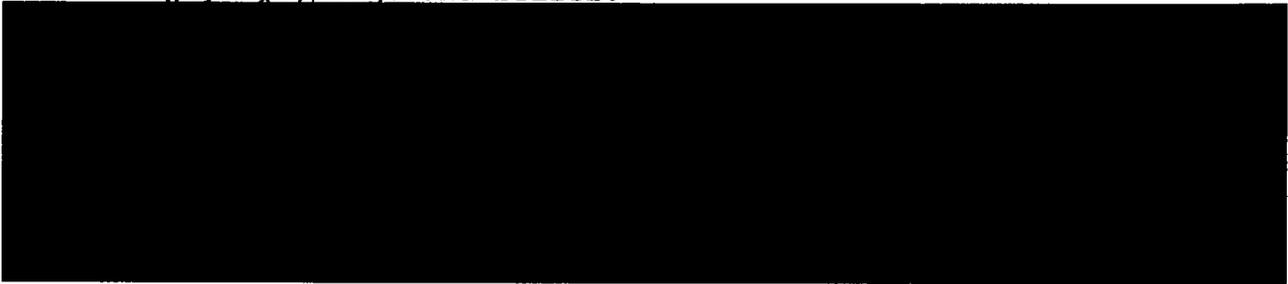
There are presently no actions to remove barriers of competition because this solicitation is being announced in accordance with 10 USC 2360 and is only open to non-profit educational institutions. Unless further statute is initiated, full and open competition for this requirement is highly unlikely.

III. IDENTITY OF NEGOTIATOR:



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.



- 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. N/A), except as noted herein, are complete and accurate to the best of my knowledge and belief.

(1) TECHNICAL COGNIZANCE

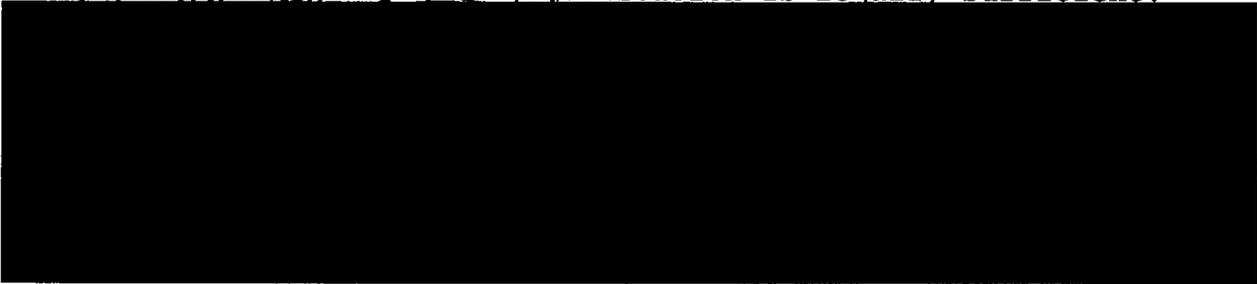


(2) REQUIREMENTS COGNIZANCE



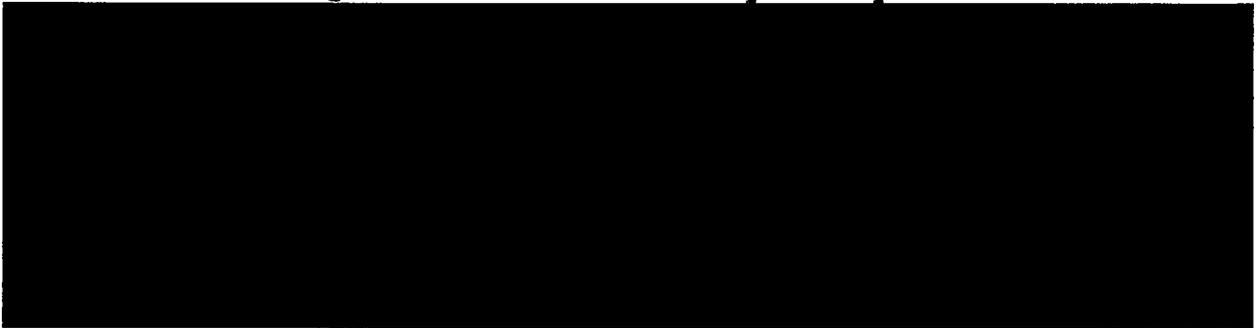
C. LEGAL SUFFICIENCY REVIEW (NMCAG 5206.303(90))

~~I have determined~~ this justification is legally sufficient.



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.



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(s) using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).



5/4/09

JOSEPH E.
MASTERSON

NUWC DIVNPT
COMPETITION
ADVOCATE



Type or Print Name

Title

Code

Phone