



DEPARTMENT OF THE NAVY
NAVAL AIR WARFARE CENTER AIRCRAFT DIVISION

IN REPLY REFER TO:
J&A_13_22938

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

1. Contracting Activity.

Naval Air Warfare Center Aircraft Division (NAWC-AD) Lakehurst, NJ

2. Description of the Action Being Approved.

This Justification and Approval (J&A) authorizes and approves the procurement of two (2) 25' Guardian Base Boats with Tactical Communication System (TCS) design package (including all required accessories, engine components, and communications and ancillary equipment) with unique specifications customized to meet the mission requirements on a sole source basis from Brunswick Commercial and Government Products, located in Edgewater, FL 32132. This action will be awarded on a firm fixed price basis. This effort is in support of the Special Communications Requirements (SCR) Division Naval NAWC-AD St. Inigoes, Maryland who has been tasked to support the United States Special Operations Command (USSOCOM) Patrol Boat Light (PBL) Counter Drug Sustainment Program (CDSP).

3. Description of Supplies/Services.

Actions covered by this J&A include the procurement of (2) 25 ft. Guardian Base Boats with the TCS design package (including all required accessories, engine components, and communications and ancillary equipment) with unique specifications customized to meet the mission requirements. The full list of items is included in Appendix B. NAVSEA is the central manager for the procurement of Navy boats. However, the patrol boats for this effort are in support of USSOCOM and in accordance with the memorandum number 9583 Ser 83BIM/8138 dated 14 FEB 2013 signed by the NAVSEA Boat Inventory Manager, do not fall under the purview of NAVSEA. In addition, the NAVAIR Comptroller has reviewed this effort and has provided concurrence that the funding provided is appropriate for this effort.

See Appendix A for Estimated Dollar Value

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.

5. Rationale Justifying Use of Cited Statutory Authority.

This procurement is in accordance with FAR 6.302-1(a) (2) (ii) (A). The Brunswick 25 ft. Guardian boat with the TCS design package is currently in use throughout the USSOCCOM PBL CDSP and has been proven

effective in restrictive environments, enabling successful completion of missions. The Naval Special Warfare (NSW) Forces (a component command of USSOCOM) are required to conduct high-speed patrol, assault missions in rivers, harbors, and protected coastal areas within all maritime theaters and at all levels of conflict. NSW Forces require a craft capable of performing in such hostile environments and conditions.

[REDACTED] NSW requires that the 25 ft. Guardian Boat configuration is identical to those currently in the fleet. The Brunswick 25 ft. Guardian Boat remains the only boat that meets the mission requirements. The primary requirement is for a craft forming a single boat unit that is both unsinkable and inseparable. Brunswick has manufactured a boat with the outer hull and inner hull bonded together especially for this purpose. This is a critical requirement because of the mission NSW is tasked with. The design and construction is stronger than alternative fiberglass boats as proven with past experiences within USSOCCOM PBL CDSP. In addition, the TCS design package (which includes the required accessories, engine components, communications and ancillary equipment) is required to support NSW's mission requirements. Selection of another vendor's patrol boat and accessories would cause an increase to the associate cost of ownership and delay delivery of the system to the war-fighter.

Award to any other source would result in substantial duplication of cost to the Government [REDACTED] that is not expected to be recovered through competition. The Government would incur additional costs [REDACTED] for training of personnel to account for alternative equipment and troubleshooting techniques. An additional [REDACTED] would be incurred for documentation for changes in design, equipment, wiring diagrams, and training manuals.

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

A thorough market search has been conducted of possible sources for the required equipment. A search was conducted via FEDSTOCK, GSA Advantage and Internet sources. FEDSTOCK was unable to provide pricing; however, Brunswick Commercial & Government Products Inc. was able to provide GSA pricing from its schedule (GS-07F-0011J) with the exception of some of the TCS design package components which requires procurement directly with Brunswick Products. No other boat manufacturer was found that was able to provide all of the requirements for the patrol boats with the TCS design package. Brunswick Commercial & Government Products Inc. is the sole manufacturer/distributor of the required configuration.

In accordance with FAR 5.201, a synopsis was posted to FedBizOpps on 16 November 2012. The synopsis closed on 03 December 2012 and no inquiries were received.

7. Determination of Fair and Reasonable Cost.

In accordance with FAR 15.402, the Contracting Officer shall ensure that the price negotiated for this acquisition is fair and reasonable. An independent government estimate has been provided for this effort. The Contractor shall submit a formal price proposal with other than cost or pricing data and sufficient information to support the accuracy and reliability of the proposal.

The proposal will be reviewed by experienced technical personnel at SCR and the Contract Specialist. The Contract Specialist will utilize price analysis in accordance with FAR 15.404-1, including a review of historical data, and comparison with the vendor's GSA schedule pricing as the basis for negotiating a fair and reasonable price.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in paragraph 5 and 6, NAVAIR has no plan at this time to compete future contracts for the patrol boats with the TCS package required by the USSOCOM PBL CDSP. If another potential source emerges, NAVAIR will assess whether competition for future requirements is feasible.

Appendix A

Estimated Dollar Value in Thousands

	FY13	FY14	FY15	FY16	FY17	FY18	FY19	Total

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

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

Technical Cognizance:

[REDACTED]

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[REDACTED]

CONTRACTING OFFICER CERTIFICATION

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

[REDACTED]

APPROVED

Upon the basis of the above justification, I hereby approve the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1), Only one responsible source and no other supplies or services will satisfy agency requirements.

[REDACTED]