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

1. CONTRACTING ACTIVITY:

Naval Supply Systems Command (NAVSUP)
Fleet Logistics Center (FLC), Jacksonville, FL.
110 Yorktown Avenue, 3rd Floor
Jacksonville, FL 32212

2. DESCRIPTION OF ACTION BEING APPROVED: This is a Sole Source Justification and Approval (J&A) for the award of a firm fixed price contract to The Boeing Company for the procurement of Test Requirement Documents (TRD) and Consolidated Automated Support System (CASS) Test Program Sets (TPS) for the Mission Acoustics System (MAS) in support of the P-8 airframe. Based on the information provided herein, it is the Contracting Officer's intent to use Alpha Acquisition procedures to execute this sole source procurement in order to expedite the acquisition process. The Contracting Officer has selected Alpha Acquisition procedures because the customer has provided a capability statement but is unable to develop a well-defined Performance Work Statement (PWS) as the requirements for supporting the P-8 aircraft have not been fully developed. Alpha Acquisition procedures provide the Government the best opportunity to develop a PWS while reducing the cycle time between the contractor and Government.

3. DESCRIPTION OF SUPPLIES/SERVICES: In accordance with the United States Code (10 USC 2464 – Core Logistics Capabilities), the Secretary of Defense (SECDEF) has identified the Consolidated Automated Support System (CASS) Test Program Sets (TPS) for the Mission Acoustics System (MAS) Test program Sets (TPS) in support of Poseidon (P-8A) multi-mission patrol aircraft as a Core Logistical Capability. This capability is required to perform depot level maintenance and ensure a ready and controlled source of technical competence and resources necessary to ensure an effective and timely response to a mobilization, national defense contingency situations, and other emergency requirements. The Fleet Readiness Center, South East, Jacksonville (FRCSE) has been identified as the Joint Depot Source of Repair (DSOR) for the P-8 Platform. The proposed acquisition is to provide the CASS TPS for the MAS and associated documentation. This proposed contract will establish repair capability at FRCSE for the MAS and also provide associated testing and training to support the establishment of maintenance, repair and overhaul capabilities at other designated Level-3 and Level-2 maintenance support activities. The specific details of the efforts required are not fully developed and requires the input of the contractor who has developed the aircraft, thus the plan to use Alpha Acquisition procedures. The estimated time to complete this requirement is 60 months from the date of contract award. The total estimated value of this action is $60 million. Funding type is APN-1 FY14 (3 year funds).

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 Supplies or Services Will Satisfy Agency Requirements, as implemented by Federal Acquisition Regulation (FAR 6.302-1).

5. RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:
The Boeing Company is the sole designer, developer, and manufacturer of the Boeing P-8A airframe, as well as the sole integrator of the avionics systems, and therefore is the only source with the requisite knowledge, experience, and technical data that can meet the Government's requirements on a timely basis. Depot capability planning, transition support equipment and associated documentation are required to be procured from the Original Equipment Manufacturer (OEM) Boeing Company because they are the only source that has the technical data, unique maintenance and repair experience, and detailed knowledge/familiarity with

system and unique depot repair capability requirements to provide the necessary support within the statutory requirement of Initial Operational Capability (IOC+4) per 10 U.S.C. 2464. The P-8A weapon system consists of the basic commercial 737-800 ERX air vehicle, modified by Boeing to meet Navy requirements, and numerous systems and subsystems providing the avionics, communications, mission, and weapon system requirements. Boeing has indicated they are unwilling to price a technical data package due the commerciality of the 737 aircraft and other systems within the platform. Award to any other source would result in unacceptable cost, schedule, and programmatic risks which would result in failure to fulfill the Navy's requirement of IOC +4. The timeline to qualify and compete a second source to fulfill the P-8A TRD, and CASS TPS requirement is estimated to take several years and be cost prohibitive. This information is derived from the actual costs and time expended during the P-8A System Development and Demonstration (SDD) Contract.

6. **DESCRIPTION OF EFFORTS MADE TO SOLICITED OFFERS FROM AS MANY OFFERORS AS PRACTICABLE**: The Integrated Products Team (IPT) PMA-290 conducted an Industry Day on 25 Sept 2013which resulted in the determination that the Boeing Company is the sole designer, developer and manufacturer of the P-8A airframe. The requiring activity, through their in-depth knowledge of the market, has determined that the support required is only available from The Boeing Company. The requiring activity's knowledge stems from information obtained from and interaction with the industry. For the award of this contract the Contract Specialist conducted on-line research which included review of small business capabilities under the Dynamic Small Business search function website, and researched Government Point of Entry (GPE) websites (NECO, FBO) for same or similar requirements. The Contract Specialist's research drew the same conclusion that The Boeing Company is the only source capable of completing this requirement. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Boeing to provide the required supplies/services. To insure this is the case, a notice of intent to award a sole source contract to The Boeing Company will be synopsized in the GPE website prior to solicitation. The pertinent information in this justification and approval will also be made available through the GPE within 14 days after contract award and will remain posted for a minimum of 30 days.

7. **DETERMINATION OF FAIR AND REASONABLE COSTS**: The Contracting Officer will determine the anticipated cost to the Government of supplies/services covered by this J&A to be fair and reasonable.

8. **ACTIONS TO REMOVE BARRIERS TO FUTURE COMPETITION:** For the reasons set forth in paragraph 5 above, the Government has no plans at this time to compete future contracts for the TRD and CASS TPS requirements.