

**JUSTIFICATION AND APPROVAL FOR  
CONTRACTING WITHOUT FULL AND OPEN COMPETITION**

**1. IDENTIFICATION OF AGENCY & CONTRACTING ACTIVITY:**

Requiring Agency

Fleet Readiness Center Southeast (FRCSE)  
Code 4.8.4.4, CASS OTPS Development Team  
Jacksonville, FL 32212

Contracting Activity

NAVSUP Fleet Logistics Center Jacksonville (FLCJ)  
110 Yorktown Ave, Box 97  
Jacksonville, FL 32212

**2. DESCRIPTION OF ACTION BEING APPROVED:** This Justification and Approval (J&A) authorizes issuance of a firm fixed price requirements contract to Raytheon Corp., 1847 West Main Road, Portsmouth, Rhode Island, to provide support to the FRCSE for the fabrication of a Consolidated Automated Support System (CASS) Operational Test Program Set (OTPS) for Intermediate-Level repairs of the U.S. Navy (USN) RT-1709/AQS-22 Sonar Transmitter Receiver (ST/R) Weapons Replaceable Assembly (WRA) (P/N H420805-1). This equipment is integral to the AN/AQS-22 Airborne Low Frequency Sonar (ALFS) used on the MH-60R helicopter. This action covers a one (1) year base period with two (2), one (1) year option periods.

**3. DESCRIPTION OF REQUIREMENT:** FRCSE has been tasked with fabricating a CASS Test Program that gives Intermediate-Level (I-level) USN maintainers the ability to test and evaluate the ST/R after it has been removed from the MH-60R helicopter. Contractor support is required to exchange technical data and information that will be used by the Government to complete the fabrication of the CASS OPTS. More specifically, the contractor will provide the following support:

- establish and support Technical Interchange Meetings between its design engineers and the FRCSE; provide documentation to support answers provide therein
- updates for all software loading processes and procedures for the ST/R WRA
- access to its ST/R testing lab to observe ST/R acceptance testing procedures during the CASS OTPS fabrication project
- test engineering and technician support to clarify test procedures, processes, and acceptance parameters for the ST/R
- all design data for the ST/R WRA

**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 FAR 6.302-1.

**5. RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY:**

FRCSE Code 48440, STR Proposal of 12 April 2012, Rev E, as accepted by Naval Air Warfare Center (NAWC) Lakehurst, assigns FRCSE to fabricate a CASS test program to test and evaluate the ST/R after it has been removed from the aircraft. This capability will ensure a ready source of technical competence and resources to meet the increasing operational needs and the projected maintenance schedules for the USN MH-60R Program and support the successful execution of that platform's vital mission.

As the Original Equipment Manufacturer (OEM) of the ST/R, Raytheon owns the proprietary rights to the technical data, design, drawings, and training documents pertaining to this system and is the only source of technical support for it. For the past fifteen years, Raytheon has been and continues to be the only manufacturer of this ST/R WRA. Raytheon facilities in Portsmouth Rhode Island are uniquely situated to manufacture, assemble, and factory test the ST/R WRA. These same facilities house the design engineering group that established the latest configuration version of the ST/R (p/n H420805-1). Since March 2010, Raytheon has manufactured, assembled, tested, and delivered this latest configuration of the ST/R WRA to the US Navy for the MH-60R helicopter platform.

**6. DESCRIPTION OF EFFORTS MADE TO SOLICIT OFFERS FROM AS MANY OFFERORS**

**AS PRACTICABLE:** The requiring activity, through their in-depth knowledge of the market, has determined that the required support is only available from Raytheon. The requiring activities knowledge stems from information obtained from and interaction within the industry. For the award of this contract, the negotiator conducted online research which included review of small business capabilities under the Small Business Administration's Dynamic Small Business search function and a review of the Government Point of Entry (GPE) websites (NECO/FedBizOpps) for the same or similar requirements. As a result of this research, the negotiator reached the same conclusion as the requiring activity regarding the available sources for meeting this requirement. To ensure that this conclusion is correct, a notice of intent to award a sole source contract to Raytheon for this work will be posted to the GPE website prior to contract award. The pertinent information contained in this justification and approval will also be made available through the GPE within 14 days after the contract award and will remain posted for a minimum of 30 days.

**7. DETERMINATION OF FAIR AND REASONABLE COST:** In accordance with PGI 215.402(1), the Contracting Officer must purchase supplies and services from responsible sources at fair and

reasonable prices. Analysis of the proposal will be performed by technical analysts and contract specialist with the assistance of DCAA auditors as required. The FLCJ Contracting Officer will use Government expertise, including DCAA and others to determine that the cost to the Government for the action covered by this J&A is fair and reasonable.

**8. ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION:** This office clarified with the customer that purchasing the tech data is the main portion of this requirement. In other words, the Government is not purchasing equipment that could be produced under competition. Everything else - the meetings, software updates, STR repairs, etc. - is ancillary to the purchase of the tech data. FRCSE is going to use the data received from Raytheon to complete the fabrication of the CASS OPTS by developing an I-level test routine for the STR. Raytheon is the manufacturer of the STR and owns the proprietary rights to the tech data, design, drawings, and training documents pertaining to it. Therefore, we can only obtain the data required for us (the Government) to complete fabrication of the CASS OPTS from Raytheon. This, coupled with the reasons set forth in Paragraph 5, are in support of FLCJ having no plans at this time to compete future contract actions for the requirement covered by this document. However, every future contract action for this type of requirement will be assessed on a case-by-case basis regarding the feasibility of competition.