

Contracts Documentation

J&A Number 10-383 AN/ALR-67(V)3 **Engineering Support**

J&A Template: Ktrs v1F

**Justification for Other than Full and Open Competition**

Please fill in all of the required details below.

C1. J&A Description:

J&A Number: **10-383**

Acquisition Name: **AN/ALR-67(V)3 Engineering Support**

The estimated total dollar amount is: \$ **5,000,000.00**

Class J&A?:

C2. Exception to full and open competition:

**FAR 6.302-1 "Only One Responsible Source".**

C3. Contracting Activity:

Naval Air Warfare Center

Weapons Division

Contracts Department (AIR 254300E)

575 I Avenue, Suite 1

Pt. Mugu, CA 93042-5099

POC:(Anita Dale, 805-989-4012)

C4. Synopsis: Was a synopsis describing this action(s) released in FEDBIZOPPS?

Yes

If Yes:

- The synopsis was posted on **22 July 2010** (allow adequate time before submitting the J&A for review).
- Which companies responded in writing?  
**None**
- Describe action(s) taken with responses received:  
**N/A**
- Any future responses to the synopsis will be evaluated by the contracting officer.

No, a synopsis was not released because:

- Each action will be synopsised individually.
- Of an Unusual and Compelling Urgency under FAR 6.302-2.
- This action(s) is the result of an international agreement.
- Other, explain:

C5. Determination of Fair and Reasonable Cost / Price:

In accordance with (IAW) FAR 6.303-2 (a) (7), the PCO will take the following action(s) to ensure that Cost / Price is reasonable.

- Obtain Field/ DCAA Audits.
- Obtain Certified Cost and Pricing Data.
- Utilize Independent Government Estimate.
- Utilize Historical Data.
- Conduct Price Analysis IAW FAR 15.404-1.
- Other, explain:

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J&A Template: One Source v09-02

**Justification for Other than Full and Open Competition**

**6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements.**

T1. J&A Description:

J&A Number: **10-383**

Acquisition Name: **AN/ALR-67(V)3 Engineering Support**

T2. Technical Point of Contact: (b)6

WHAT is being acquired?

T3. Concisely describe the nature of this acquisition (i.e. What the item or service is and what function it will perform):

This acquisition is for a one year (12 month) performance extension to current contract N68936-09-C-0029 with Raytheon Company, 6380 Hollister Avenue, Goleta, CA 93117-3114, in support of the AN/ALR-67(V)3 for the Tactical Aircraft Electronic Warfare Integrated Product Team (TACAIR EW IPT). The extension is required to "buy time" to allow award of a follow-on. A new follow-on acquisition package is currently in process and anticipated to be received no later than the end of CY 2010.

T4. The estimated total dollar amount, including options, of this action is:

**\$ 5,000,000.00**

T5. This J&A approves the following type of action(s): (Coordinate with PCO)

Single action

- New **Cost Plus Fixed fee type Modification of Contract**

Class of actions. If this is a Class J&A, it covers actions through **When**.

- New **Select Type of Contract type Select Action Type**



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**WHO is the only source?**

**T7. Raytheon Company** is the only source that can provide the above supplies or services and no other supplies or services will satisfy the program's requirements.

**WHY is the source above the only one that can fulfill the requirement?**

In accordance with Title 10 U.S.C 2304(c)(1) as cited in FAR 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements."

**T8. Only the specified source can provide the above described supplies or services due to: (Select from the following).**

**Insufficient Technical Data and / or Rights:** The Government does not possess adequate data and / or the rights necessary to competitively award this requirement.

- Explain why the technical data is necessary for this acquisition:  
**Technical data in the form of source code is provided to the government with limited government rights, but specific software build decisions, such as file structures, file locations, compiler instructions, and compiler switches are not provided and are the property of the contractor. This information is necessary to successfully develop and compile future OFPs and UDF Generators (UDFGs).**
- Does the Government possess all the technical data required to competitively award this requirement?

Yes

- If Yes, explain why the Government does not possess sufficient data rights to competitively award this requirement:
- Could the necessary rights to the data be purchased?  
 Yes, the necessary rights could be purchased for an estimated \$  
This amount was determined by  
This amount is economically unfeasible due to

No, explain:

No

- If No, explain why the Government does not possess sufficient technical data to competitively award this requirement.  
**Specific software build information required to compile the OFP and UDFG is not currently owned by the Navy as the system continues to undergo capability improvements that constantly change the development environment and would require significant investment to keep up.**
- If No, could the necessary technical data and rights be purchased?  
 Yes, the necessary data and rights could be purchased for \$ **12,000,000.00**  
This amount was determined by **estimation and discussion with the contractor regarding setting up software development stations and environments and obtaining the necessary government data rights to compile and test the OFP and**

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**UDFG.**

This amount is economically unfeasible due to **the \$12M price tag that would be duplicated every time a new capability enhancement is added to ensure the government system is capable to make future system updates.**

No, explain:

**Special Tooling:** Only the referenced source has access to special tooling which is necessary to fulfill this requirement.

▪ Explain why the special tooling is necessary for this acquisition:

▪ Could the necessary special tooling be purchased?

Yes, the necessary tooling could be purchased for an estimated \$

This amount was determined by

This amount is economically unfeasible due to

No, explain:

**Substantial Duplication of Cost (for follow-on actions only):** The above source is deemed to be the only source available because an award to a source other than the original provider would result in a substantial duplication of cost which would not be recovered through competition.

▪ An estimated \$            worth of work would be duplicated.

▪ Explain in detail how this amount was determined.

**Unacceptable delay of work (for follow-on actions only):** The above source is deemed to be the only source available because an award to a source other than the original provider would result in an unacceptable delay in fulfilling the Government's requirements.

▪ Going to another source would create a delay of

▪ Explain in detail how this delay estimate was determined.

▪ Explain in detail how the Government would be unable to meet its requirements by this delay.

▪ Describe the specified source's ability to provide the needed supplies / services within the necessary timeframe.

**Other:**

▪ Specify why only the stated source can provide the above supplies or services.

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**Background (Additional information)**

**T9. Is there a supporting acquisition planning document for this program?**

Yes

- If Yes, is the supporting acquisition planning document current?  
(ensure legal counsel has a copy of the latest document)

Yes, it is current as of **July 2010 (Acquisition Strategy/MOPAS only)**.

No, explain:

- If Yes, is this J&A consistent with the content of the supporting acquisition planning document, including MOPAS?

Yes, it is consistent.

No, explain:

No

- If No, why is there not a supporting acquisition planning document?

A supporting acquisition planning document is not required in accordance with **DFARS 207.103 (d)(i)**.

Other, explain:

**T10. Market Research and / or Survey:**

Performed

- Describe the research and / or survey that was conducted:

Not Performed

- No market research or survey was conducted due to:

**No market research was possible because no vendors exist that have the indepth knowledge of the ALR-67(V)3 that would be required to be able to make system software changes to the custom embedded software system. Discussions with two competitors that make other Radar Warning Receivers (RWRs) ( (b)4 ) revealed a serious lack of understanding of the inner workings of the ALR-67(V)3 system that would be required.**

**T11. Follow-on Contract Information: (Required for all actions)**

Will this requirement be acquired again?

Yes

- If Yes, what is being done to remove barriers to competition?

Nothing, explain: **The resources to pursue removing barriers to competition are time, money and an able competitor, none of which are currently available or anticipated for the near future.**

Actions such as: **bringing the UDFG in-house and maintenance of the older version of the ALR-67(V)3 in-house are currently underway. These efforts could start to remove barriers from portions of the work that are now in sustainability phase.**

- If Yes, will it be competed in the future?

No, explain: **There are no plans to compete these requirements until the development efforts subside and the OFP and UDFG are stable products with only maintenance issues to address. A re-evaluation should be made to establish the feasibility of competing this effort in 5**

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**years.**

- Yes, on .
- No, this is a one time buy.
- No, this a final buy.

Is this for a follow-on requirement?

- Yes
  - If Yes, is the previous J&A attached?
    - Yes
    - No, explain:
- No

