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IN REPLY REFER TO:
J&A_11_7469

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

1. Contracting Activity.

Naval Air Warfare Center Weapons Division (NAWC-WD) - China Lake, CA

2. Description of the Action Being Approved.

This justification and approval is for the issuance of a sole source fixed price contract to Wintec Incorporated for procurement of Launcher Missile Emulators (LME) for use on the Joint Air to Ground Missile (JAGM) program.

3. Description of Supplies/Services.

Under this effort, the Contractor shall assemble, test, and deliver five (5) new four-station LMEs system configurations, P/N JLE00010-4, to the Navy to support planned weapon integration laboratory and aircraft integration laboratory development activities

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.

The JAGM program is a joint Army Navy program with the Army as lead service. During the technology demonstration phase of the development, the Army had LMEs developed by WINTEC Inc. The LMEs were required for JAGM missile testing in the Army ARMDEC Weapon Integration Laboratory as well as other platform integration laboratories for the Navy FA-18, MH-60, AH-1 and Army AH-64, MQ-1C and OH-58. During the technology demonstration (TD) phase the WINTEC LME was provided to the Navy for limited integration efforts. During the upcoming engineering demonstration and manufacturing demonstration (EMD) phase, additional LMEs are required at each of the aircraft platform integration laboratories as noted above. The WINTEC Inc product is required in order for commonality, interoperability and functionality to exist between Navy and Army assets. Further the Army will contract for continuing services and updates to the LMEs during the EMD phase of the JAGM development. The potential benefit from the "service after the sales" provided by the lead service further reinforces the need for the Navy to have common equipment as was provided under the TD phase.

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

Having equipment which is identical to the existing Launcher Missile Emulators in the possession of both the Navy and the Army is of paramount importance. Equipment from the original source is absolutely necessary to ensure interoperability and commonality of existing hardware. Further equipment from the original source will benefit the Navy in the out years as any needed upgrades or service during the JAGM EMD phase which will be available to the Navy through an Army procurement effort at no additional cost to the Navy. For these reasons only WINTEC would be solicited.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer shall make a determination that the anticipated cost to the Government of the supplies covered by this J&A will be fair and reasonable.

The negotiation and establishment of a fair and reasonable price will be conducted in accordance with FAR 15.4. As stated in FAR 15.402, the Contracting Officer shall purchase all supplies at a fair and reasonable price. WINTEC's proposal will be reviewed by experienced technical analysts and contract specialists. The Contracting Officer will utilize cost and price analysis as the basis for negotiating a fair and reasonable price.

8. Actions to Remove Barriers to Future Competition.

This procurement action will fulfill the launcher missile emulator needs for the JAGM program. For the reasons set forth in Paragraph 5, NAWCWD has no plans at this time to compete future contracts for the types of supplies covered by this document. If another potential source emerges, NAWCWD will assess whether competition for future requirements is feasible.

Appendix A

Estimated Dollar Value In Thousands

	FY11	FY12	FY13	FY14	FY15	FY16	FY17	Total
(b)(2)High	425	0	0	0	0	0	0	425
Total	425	0	0	0	0	0	0	\$ 425 k