



**DEPARTMENT OF THE NAVY**  
NAVAL AIR WARFARE CENTER WEAPONS DIVISION  
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IN REPLY REFER TO:  
J&A\_11\_3236

**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 seeks authorization and approval for a three year, Firm Fixed Price (FFP) contract on a Sole Source Basis to BAE Systems. The contract will provide emergency bailout parachutes for use in 12 new P-3 Orion aircraft being procured by (b)(2)High over a three year period, and the United States Army. The only bailout parachute currently qualified for use in the P-3 aircraft is the A/P22P-21 Crew Backpack Assembly. Several features of the A/P22P-21 Crew Backpack Assembly are proprietary to BAE Systems. This procurement also provides direct replacement of 30 chutes for the Army which was consumed during air drop operation testing performed in Yuma, AZ this past March, 2011.

This procurement purchases all necessary BAE Systems proprietary components to allow the parachute packing depot at China Lake to build up and deliver full up A/P22P-21 Crew Backpack Assemblies to the P-3 aircraft as soon as they are fabricated and completed. 1 new P-3 aircraft is assembled and delivered to the Navy on a quarterly basis, and each aircraft requires 23 parachutes. 46 parachutes are being purchased as spares. The NAWCWD labor costs necessary to perform the packing and assembly of the chutes will be provided by PMA-290 and the US Army on a per assembly cost basis.

3. Description of Supplies/Services.

This procurement is for approximately 322 A/P22P-21 parachutes for (b)(2)High and 30 for the Army. Based on market research, each canopy costs \$3,916 for a total of \$1,378,576. Each component that is proprietary to BAE Systems consists of (b)(4)

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.

BAE Systems is the only source that can provide the above supplies and no other supplies will satisfy the Government's requirements for the emergency parachute. BAE manufactures the parts listed in the order to an approved drawing. The drawings contain BAE Systems proprietary markings, limiting the distribution and use of the drawings for procurement from other sources. The Government has looked into buying the necessary technical data and rights, however the funding necessary to do so was not available at the end of the last production run which ended 2007. In 2005, NAWCWD China Lake created a repair depot to have all A/P22P-21 sealed parachutes inspected, repacked and vacuum-sealed at the end of the 5.5 year repack cycle. The depot is now starting on the second cycle of repacks for the P-3 aircraft, and has been providing surplus assets to C-130 maintenance organizations to begin using the A/P22P-21 parachute in C-130 aircraft. The China Lake depot functions have been expanded to provide the same support to repack and reseal the parachutes and life rafts used in the A/P22P-20 systems in the E-2 aircraft. China Lake has been requested by PMA-290 (b)(2) High program offices to provide new A/P22P-21 parachutes for P-3 aircraft being sold to (b)(2) High. The repair depot will perform the parachute packing, vacuum sealing as well as assembly of the full up parachute assemblies which consists of the 352 BAE components, and components currently being procured via competitive procurements which make up the complete parachute assembly. Standard procedure is that the Defense Logistics Agency (DLA) is responsible for procuring replacement parachute components. However, as of today, there are no current contracts in place to procure the necessary parts for the Navy. It is DLA policy to start procurement actions only after they have identified and established demand for an item, and the process of awarding new contracts takes a minimum of six months. DLA will not have contracts in place to meet the Navy's delivery dates. The Navy will procure the necessary assemblies through use of their own contract action in order to receive, pack and provide the items to the end user customers beginning December 2011 and continuing through October 2014.

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

In accordance with FAR 5.201 (b)(1), this requirement was synopsisized via the Federal Business Opportunities website on 15 June, 2011. No responses or inquiries have been received. Any future responses will be evaluated by the Contracting Officer.

7. Determination of Fair and Reasonable Cost.

In accordance with FAR 15.402, the Contracting Officer shall ensure that all supplies provided under this contract are procured at a fair and reasonable price. The Contractor shall submit a formal price proposal with certified cost or pricing data and sufficient information to support the accuracy and reliability of the costs. BAE's proposal will be reviewed by experienced technical analysts and contract specialists with the aid of necessary field pricing support. 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.

For the reasons set forth in paragraph 5, NAVAIR has no plan a time to compete future contracts for the types of supplies/services covered by this document. If another potential source emerges, NAVAIR will assess whether competition for future requirements is feasible.

**Appendix A**

**Estimated Dollar Value in Thousands**

	FY11	FY12	FY13	FY14	FY15	FY16	FY17	Total
					0	0	0	(b)(2)High
					0	0	0	
<b>Total</b>		(b)(2)High			0	0	0	<b>\$ 1379 k</b>