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NAVAL AIR WARFARE CENTER WEAPONS DIVISION
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IN REPLY REFER TO
J&A_12_22651

**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.

The Naval Air Warfare Center Weapons Division (NAWCWD), Point Mugu, CA intends to award on an other than full and open competition basis (FAR 6.302-1 only one responsible source) Firm Fixed Price (FFP) contract to Earth Air and Space (EAS) Manufacturing Company, Camarillo, CA. This contract will provide AN/ALQ-231 (V)1 Intrepid Tiger II Pod Assemblies in support of the Joint Electronic Attack and Compatibility Office (JEACO) Electronic Warfare (EW) and Electronic Attack (EA) mission at the Naval Air Warfare Center Weapons Division (NAWCWD).

3. Description of Supplies/Services.

The proposed contract will provide AN/ALQ-231 (V)1 Intrepid Tiger II Pod Assemblies.

The estimated value of the EAS contract is \$456,000.00 and will be funded with FY-12 (b)(2)High funds.

The Intrepid Tiger II program has a critical need for eight (8) full Intrepid Tiger II Pod Assemblies to support the requirements specified in the Office of the Chief of Naval Operations letter dated 20 Jan 12; specifically the initiation of a Rapid Deployment Capability (RDC) for the AN/ALQ-231(V)1 Intrepid Tiger II.

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.

In accordance with 6.302-1(b)(1)(i), only EAS possesses the capability and data that can satisfy the minimum needs of the government to provide the Intrepid Tiger II Pods by 30 Sep 2012.

The requirements specified in Office of the Chief of Naval Operations letter dated 20 Jan 12; specifically the initiation of a Rapid Deployment Capability (RDC) for the AN/ALQ-231(V)1 Intrepid Tiger II. The

requirement is to provide develop and provide a critical Airborne Electronic Attack (AEA) capability to ground forces in environments like those experienced in Operation Enduring Freedom (OEF). The intent is for Intrepid Tiger II to become a Program of Record (POR). In the interim war fighters must continue to take delivery of essential Electronic Warfare (EW) capabilities. Intrepid Tiger II operational capability is considered crucial by the Ground Command Element (GCE) and Radio Battalion (RadBn) operators.

EAS designed and built the majority of the ANALQ-231(V)1 Pod Assembly components (b)4

A follow-on hardware contract was awarded to Computer Technology Associates (CTA), Contract N68936-10-D-0041, Task Order 0006 on 14 September 2010 for the purchase of ten additional Intrepid Tiger II Pod Assemblies with a delivery date of 11 June 2011. These Pod Assemblies were exact duplicates of the ones delivered in the (b)4 Task Order.

In February 2011 the Government entered environmental testing with the initial Intrepid Tiger II Pod Assemblies. The Pod Assemblies did not pass environmental shake testing; this was attributed to significant failures in the pods hardware, which had been built to Government drawings. It was determined that these items would not meet the needs of the fleet at the current specification.

(b)5

should be remedied and a working tray assembly be provided to the Government. It was determined that significant modifications to the trays were necessary and that there was a bracket structural problem; however, correcting these issues would ensure the ability to successfully complete environmental testing and ultimately deploy the pods. (b)4 EAS, (b)4 developed the components to correct the issue.

The re-designed tray modifications and structural reinforcement brackets for Pod 001 has successfully passed three weeks of environmental testing with no indication that future tray or bracket modifications will be required. This modified configuration became the baseline for the Intrepid Tiger II set to deploy to theater. Utilizing the EAS configured Intrepid Tiger II Pod Assemblies, the Government has completed all laboratory, electromagnetic interference and electromagnetic compatibility qualification testing that are required for the ground, performance and Quick Reaction Assessment (QRA) flight tests.

As a result of these events, the materials being order from CTA under Contract N68936-10-D-0041. Task Order 0006 no longer meets the needs of the Government. (b)4

(b)5

In June 2011, Contract N68936-11-C-0053 was issued to EAS for the purchase of four (4) additional Intrepid Tiger II Pod Assemblies. These pod assemblies are exact duplicates of the ones qualified. These additional pods were used to perform the ground, performance, and QRA flight testing which was completed in January 2012. These pods will also be deployed to theater in April 2012.

In addition, under Contract N68836-11-C-0053, the government procured Intrepid Tiger II Pod assembly drawings which were not received until February 2012. In March 2012, an independent configuration team performed an audit of the EAS provided drawings against the as-built Intrepid Tiger II Pod. The results of that audit revealed that the Intrepid Tiger II drawing package was not suitable for competitive procurement of Intrepid Tiger II Pod Assemblies. Given the RDC direction to provide the warfighter additional capability by 30 September, there is insufficient time to modify the EAS provided drawings to enable them to be provided under a competitive contracting arrangement. As a result, EAS is currently the only contractor with the understanding, experience, and data required to manufacture Intrepid Tiger II pod assembly hardware.

Failure to utilize EAS components would negate all existing testing results and require retest at an estimated cost of \$2,600,000 and a schedule slip of 12 months. As the Government requirement is to deploy additional Intrepid Tiger II Pods to theater first quarter FY-13, any time delays would severely impact the Fleet's operational readiness, mission effectiveness and the ability to provide the electronic warfare capability needed to ensure the protection of coalition ground forces.

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

The JEACO Systems Engineers continue to monitor the availability of commercial technological upgrades/capabilities/products by participating in communications among industry and other government electronic warfare specialists, by conducting exhaustive searches on the Internet, and participating in joint symposiums with government and commercial representatives. The proposed procurement is considered a one-time requirement driven by the RDC requirement.

7. Determination of Fair and Reasonable Cost.

In accordance with FAR 15.402, the Contracting Officer shall ensure that all supplies and services provided under this contract are procured at a fair and reasonable price. The Contractor will submit a formal price proposal with other than certified cost or pricing data and sufficient information to support the accuracy and reliability of the estimate. EAS' proposal will be reviewed by experienced technical analyst 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.

The Government intends to compete all future requirements. The Government is in the process of modifying and validating the EAS provided data package in order to ensure the ability to solicit additional sources. A competitive Intrepid Tiger II Pod Assembly hardware contract is in process with an expected award of first quarter FY-13. It is expected that the modified and validated data package will be ready to provide as part of the competitive Request for Proposal.

Appendix A**Estimated Dollar Value in Thousands**

	FY12	FY13	FY14	FY15	FY16	FY17	FY18	Total
(b)(2)High	456	0	0	0	0	0	0	456
Total	456	0	0	0	0	0	0	\$ 456 k