

NONCOMPETITIVE PROCUREMENT JUSTIFICATION
(Simplified Acquisition Procedures (SAPs) Micropurchase Threshold to \$150K)

The [REDACTED] or product(s) listed on requisition(s) below is/are precluded from competition for reasons indicated below.

There are no suitable substitutes available.

Restricted to the following source. Provide original manufacturer's name. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer: [REDACTED]
[REDACTED]
[REDACTED]

Manufacturer's Dealer/Rep: [REDACTED]

Description of the product or services required, the estimated cost, and required delivery date (products) or Period of Performance (services). Requirement is for the following p/n:

[REDACTED]

Specific characteristics of the material or service that limit the availability to a sole source (unique features; function of the item; unique capabilities; facilities or special equipment; etc.). Describe in detail **why** only this suggested source can furnish the requirements to the exclusion of other sources. The required parts are utilized on the [REDACTED]. The [REDACTED] program is part of the [REDACTED] which performs the mission of early detection, signal analysis, threat warning and protection from anti-ship missiles. The [REDACTED] provides a common Electronic Attack (EA) capability improvements to all surface combatants outfitted with the active variant of the [REDACTED]. The current version of the [REDACTED] is deployed in 6 variants on surface ships in the fleet. [REDACTED] is an [REDACTED] program.

NAVSEA originally awarded the development contract for this system in 2009 for [REDACTED] and is slated to be completed on [REDACTED]. NSWC Crane has been tasked by the Program Office to procure spares. The [REDACTED] parts are installation and checkout (INCO) spares that will be used to replace failed parts in the [REDACTED] system during installation and initial operation. The parts are critical to successfully installing the [REDACTED] system on the ship.

In the development contract, data rights have been procured in order to promote competition in the future, however the contract is in the Low-Rate Initial Production (LRIP) phase. The data will not be available for the government to utilize until this phase is completed. Until that time, the Prime Contractor holds all the proprietary and Level III drawings that are required for full and open competition.

Because these items are INCO spares, they must be compatible in all aspects of form, fit, and function. In order to utilize another vendor's solution, an estimated 4 years and approximately \$39.9 Million dollars. This information is based on the development contract.

For non-personal services indicate the highly technical or specialized expertise required. Describe the contractor's workforce, methods, materials or unique management or operating systems. If it is unique because of knowledge of key individuals, what is the basis of the knowledge that another firm could not obtain the same or equivalent expertise? Could another firm obtain the necessary highly specialized experience or technical capability in time to perform the requirement? Until LRIP is complete, the Prime Contractor holds all the proprietary data required to promote full and open competition.

The required product(s) or service(s) represent(s) the minimum requirements of the Government and no other product(s) or service(s) can satisfy the need.

FILL IN ALL APPLICABLE BLANKS BELOW

The product(s) must be compatible in all aspects (form, fit, and function) with existing systems presently installed. Describe the equipment you have **now** and **how** the new item/service must coordinate, connect, or interface with the existing system. These items are INCO spares and must be compatible in all aspects of form, fit, and function.

Patent rights, copyrights, trade secrets, technical data, secret processes, or other proprietary data essential for contract performance limits competition. The proprietary data is: The Prime Contractor owns all the Level III drawings until LRIP is completed.

These are "direct replacements" parts/components for existing equipment .

Other information to support a sole-source buy: This is a new development system that has not been formally competed therefore only the OEM and it's qualified vendor are able to provide the items.

I CERTIFY THAT STATEMENTS CHECKED, AND INFORMATION PROVIDED ABOVE, ARE COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT THE PROCESSING OF THIS SOLE-SOURCE JUSTIFICATION PRECLUDES THE USE OF FULL AND OPEN COMPETITION.



Based on review of the above statements and information, I concur with processing this procurement on a noncompetitive basis.

Contracting Officer Signature

Ron Jilman

Date

4/8/2013