



DEPARTMENT OF THE NAVY

NAVAL AIR SYSTEMS COMMAND
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IN REPLY REFER TO:
CJ&A 20-0147

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

1. Contracting Activity

Naval Air Systems Command (NAVAIR) Headquarters

2. Description of the Action Being Approved.

This Class Justification and Approval (CJ&A) authorizes and approves the issuance of orders on a sole-source basis under the corporate Basic Ordering Agreement (BOA) with The Boeing Company (Boeing) in Seattle, WA for the P-8A Weapons Systems integration and testing of the Long Range Anti-Ship Missile (LRASM) and other Anti-Submarine and Anti-Surface Warfare (ASW/ASuW) weapons. Authority to act under this CJ&A expires on 30 April 2023.

3. Description of Supplies/Services.

NAVAIR has a requirement for weapons integration and testing for the P-8A platform, which requires The Boeing Company to design, develop, integrate, and test upgrades to software and ancillary hardware. NAVAIR's requirement includes the integration and testing of LRASM, along with structural airworthiness flight testing of other potential ASW/ASuW weapon systems to include: 500 lb to 2,000 lb class of Joint Direct Attack Munition (JDAM) variants, Mk62/63/65 mines, Small Diameter Bomb (SDB-II), Miniature Air Launched Decoy (MALD), Bomb Rack Unit BRU-55, and Universal Armament Interface (UAI). The LRASM integration requires software updates to the Tactical Open Mission Systems (TOMS) and Stores Management Computer (SMC) software to accommodate integration of LRASM interface requirements. Structural airworthiness flight testing is required for carriage and employment of the weapon, which entails usage of the structurally instrumented aircraft for weapon carriage testing as well as a software fleet-representative aircraft for weapon employment testing. These integration and test efforts must be completed prior to the software and hardware being released for Operational Testing of a Fleet Release. For the combined total of all contract actions, to include funding with non-appropriated funds from the P-8A Australian Cooperative Program, the estimated total value and associated funding by fiscal year (FY) and type is set forth in Table 1 below.

Appropriation	FY21	FY22	FY23	FY24	FY25	Total
RDT&E						
RAAF Co-op						
Total						

Table 1: Funding breakdown

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.

Boeing was awarded the P-8A System Development and Demonstration Contract N00019-04-C-3146 under a best value limited competition. The P-8A consist of a basic 737-800 ERX air vehicle modified to meet Navy requirements, to include systems and subsystems for avionics, communication, mission, and weapon capabilities. Boeing has been the prime and only integrator of the aforementioned P-8A systems and subsystems, and therefore has the requisite knowledge, experience, and capabilities to meet the Government's requirements, and is uniquely qualified to perform the efforts contemplated under this CJ&A. Only Boeing possesses the knowledge, expertise, and necessary proprietary technical data of commercial 737 aerodynamics and structural finite element analysis required for structural integration to permit carriage of the LRASM and other ASW/ASuW weapons on the P-8A platform. Regarding the software integration of LRASM, while the Government has Government Purpose Rights to the TOMS software and technical data, the Government is unable to integrate the LRASM into a Fleet Release within the P-8A architecture. This is the result of the Software Development Environment (SDE) and software compiler being proprietary to Boeing and therefore the software integration cannot be completed by a third party to achieve the required end item of an executable TOMS Fleet Release.

Additionally, Boeing is the only company with the requisite lab environment needed to qualify the software integration effort. Boeing conducts all software integration and testing requirements of TOMS and SMC within their Weapons System Integration Lab (WSIL) facility.

Currently, award of any efforts listed above to any other source other than Boeing would result in an unacceptable delay in fulfilling the agency's requirements for a fleet need date of July 2024. Assuming approximately 18 months to complete a competitive acquisition and an additional 48 months for the required development, training, testing, verification, and qualification of the necessary software to perform the tasks required by this effort, pursuit of any other source would result in an unacceptable delay of 16 months in fulfilling the agency's requirement.

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

As required by DFARS PGI 206.302-1, a Sources Sought was published to the Contract Opportunities (formerly Federal Business Opportunities) website on 3 February 2020. A capability statement was [REDACTED] in response to the Sources Sought on 18 February 2020. Government technical personnel thoroughly reviewed the capability statement and determined that integration of the LRASM and testing of other weapons is unattainable [REDACTED] due to their inability to gain access to the aircraft and software technical data required to perform flight testing and the necessary updates to TOMS and SMC. NAVAIR provided [REDACTED] a written determination on 25 February 2020; and [REDACTED] provided no response to the written determination. The proposed procurement contract was synopsized via the same website on 25 February 2020 for informational and subcontracting opportunities. At this time, no response has been received by NAVAIR. Any subsequent response received expressing interest will be reviewed by the Contracting Officer and technical requirements authority.

7. Determination of Fair and Reasonable Cost.

In accordance with FAR 15.402(a), the Contracting Officer must ensure that all supplies and services are procured at a fair and reasonable price. An analysis of the Contractor's proposals will be performed by technical analysts and contract specialists, with the assistance of Defense Contract Management Agency (DCMA) and Defense Contract Audit Agency (DCAA) auditors as needed. The Contracting Officer will analyze the various cost or price elements that are presented in the proposal, as well as review the actuals from the previous procurement as available. The Contracting Officer will use Government expertise, including DCMA, DCAA, the PMA, and other Government resources, to evaluate the proposed material, labor and subcontract positions. A detailed report developed as part of the Government evaluation will be utilized to establish a NAVAIR position. If a rate agreement is not in place between Boeing and DCMA at the time of proposal evaluation, the Contracting Officer will work with DCMA and DCAA to establish a rate position, to include escalation, for negotiation of the contract action.

8. Actions to Remove Barriers on Future Competition.

No future requirements beyond the supplies/services covered by this document are anticipated at this time. If future requirements arise, NAVAIR Headquarters will assess whether competition for these requirements is feasible.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein are complete and accurate to the best of my knowledge and belief.

[REDACTED]
Holli Galletti
Name (Printed)

[REDACTED] Phone No.

_____ Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[REDACTED]
Andrew McCabe
Name (Printed)

[REDACTED] Phone No.

_____ Date

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief.

[REDACTED]
Ryan Delaney
Name (Printed)

[REDACTED] Phone No.

_____ Date

SENIOR PROCUREMENT EXECUTIVE APPROVAL

Upon the basis of the above justification, I hereby approve the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304 (c)(1), Only one responsible source and no other supplies or services will satisfy agency requirements.

[REDACTED]
Michael K. Rock
Director for Air ASW, Assault & Special Mission Programs
Procurement Group

_____ Date