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

PMS 400D

Controlled By: Department of the Navy
Controlled By: NSWC Crane Code 02
CUI Category: PROCURE
Distribution/Dissemination Control: FED ONLY
POC: NSWC Crane 0222

DEPARTMENT OF THE NAVY
CRANE DIVISION
NAVAL SURFACE WARFARE CENTER
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CRANE INDIANA 47522-5001

IN REPLY REFER TO:

J&A Number: CR-21378
Code: 0222

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JUSTIFICATION

1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center, Crane Division (NSWC Crane), Contracts Department, Global and PEO Enterprise Contracting Division, PEO Ships/USC/SEA 21 Contracts Branch, Code 0222.

2. Description of the Action Being Approved

Contracting without providing for full and open competition with Serco-IPS Corporation at 12930 Worldgate Drive, Herndon, VA. Serco-IPS will be awarded a Cost-Plus-Fixed-Fee bridge contract for Ship Production Planning and Engineering; Systems Engineering; Combat Systems Test Engineering; Post Delivery Planning, Engineering and Management; Engineering Services, Configuration and Data Management and Logistics Support for Program Executive Office (PEO) Ships, PMS 400D. The original SeaPort-e Task Order (N0017804D4066-EH13) period of performance will expire and all hours will be exhausted by 26 November 2021. The solicitation for the follow-on closed on 26 February 2021. Based upon the initial evaluation, it was determined that discussions were required. The Period of Performance of the current Task Order will not provide coverage for the time needed to conduct discussions, complete the subsequent technical and cost evaluation, finalize the source selection documentation, and proceed to Task Order award. This bridge action with an 8-Month Period of Performance (27 November 2021 - 31 July 2022) will include a 6-Month Base Period (27 November 2021 - 31 May 2022) and a 2-Month Option Period (01 June 2022 - 31 July 2022) will allow adequate time to make Task Order award and accommodate the follow-on SeaPort-NxG required 60-day transition period in the event that Task Order award is made to a non-incumbent contractor.

3. Description of Supplies/Services

The mission of PMS 400D is to design, build, outfit, and test all DDG 51 Guided Missile Destroyer Class Ships. Tasking includes Ship Production Planning and Engineering; Systems Engineering; Combat Systems Test Engineering; Post Delivery Planning, Engineering and Management; Engineering Services, Configuration and Data Management and Logistics

Support to satisfy current and future Navy needs for the DDG 51 Class Ship.

The subject sole source procurement will continue tasks supporting the aforementioned PMS 400D mission. The bridge contract will include a total Period of Performance of eight (8) months to cover the gap between the current LOE expiration date and the award of the follow-on competitive SeaPort-NxG Task Order. The estimated value of the bridge action is [redacted] and [redacted] for the eight (8) month period of performance.

Based upon the projected requirements and budget forecasts, the Government plans to incrementally fund the contract with SCN funding.

	Estimate Costs
Labor	[redacted]
ODC	
Total	

PMS 400D utilized historical data and projected minimum requirements to estimate and provide the minimum effort required. The minimum requirements have been verified by the certifying technical and requirements personnel.

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. § 2304(c)(1). FAR 6.302-1, Only one responsible source and no other type of supplies or services will satisfy agency requirements, implements this statutory authority.

5. Rationale Justifying Use of Cited Statutory Authority

FAR 6.302-1(a)(2)(iii)(B) allows an agency to restrict competition when it is likely that an award to any other source would result in unacceptable delays in fulfilling the agency's requirements. In this case, only Serco-IPS has the capability to accomplish the PMS 400D mission within the required schedule until the award of the competitive follow-on SeaPort-NxG Task Order.

If a Bridge Contract action is not executed to ensure continuation of PMS 400D support services by Serco-IPS, unacceptable delays in fulfilling PMS 400D requirements will negatively impact mission readiness and may result in long-term costs to the taxpayer.

In addition to degradation of shipyard construction efforts and the U.S. Navy's 30-year shipbuilding plan, the following specific impacts would be realized if the Bridge Contract is not executed to support a continuation of services:

- Severely impacts expertise in the areas of Ship Production Planning and Engineering; Systems Engineering; Combat Systems Test Engineering; Post Delivery Planning, Engineering and Management; Engineering Services, Configuration and Data Management and Logistics Management. Without this support, engineering risks will actualize into issues causing major cost and schedule impacts, while

existing issues will be unmonitored furthering those impacts to shipbuilding programs.

- Loss of communication and coordination of DDG 51 Engineering Change Proposals support where future configurations will cause schedule delays and disruption at the shipyards, resulting in Request for Equitable Adjustments (REAs) on shipbuilding contracts.

- Inhibits the ability to support Data Management requirements on various Engineering Design and Shipbuilding contracts, and limits the ability to maintain and administer the Navy's Integrated Data Environment (IDE). The lack of resources to support such requirements would cause delay and disruption on contract deliverables.

- Severely reduced DDG-51 System's Engineering management support, inclusive of Flight Upgrade Design support, Hull, Mechanical and Electrical (HM&E) support, Combat Systems Test and Trials engineering, technical analysis and expertise on engineering issues including evaluation of all systems and sub-systems to be integrated into DDG 51 Class ships. Future deliverables would have limited support, which would lead to increased costs and time due to insufficient support in managing such requirements, which will further delay the DDG-51 shipbuilding program.

- Delayed ability in supporting ship production progress studies and Logistics analyses across Navy ship platforms that prevent obsolescence and configuration issues. Without these efforts, the Navy leadership will have to plan for more time, effort and costs to the government, and subsequently forcing delayed schedules to support Navy priorities and advanced capabilities.

The anticipated award of the follow-on Task Order is no later than 1 June 2022. This bridge action will provide continuation of support services until the follow-on Task Order is awarded.

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

In accordance with FAR 5.2, the proposed Bridge Contract was synopsized via SAM.GOV during the period of 3 September 2021 to 15 September 2021. No responses were received to date. No additional market research will be conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Serco-IPS to provide the required services during the bridge period. A blanket waiver was issued by NAVSEA Director of Contracts (SEA02) on 15 September 2015 waiving the requirement found in DFARS PGI 206.302-1(d) to issue an Request for Information (RFI) or Sources Sought Notice (SSN) when awarding a bridge contract on the basis found in FAR 6.302-1.

7. Determination of Fair and Reasonable Costs

The Contracting Officer has determined the anticipated cost to the Government for the supplies/services covered by the J&A will be fair and

reasonable. The Contracting Officer will use cost/price analysis to determine a fair and reasonable price. Information from the Defense Contract Audit Agency and Defense Contract Management Agency may be utilized to analyze, evaluate and assist in negotiations based upon detailed cost or pricing data, which will be certified by the Contractor at the conclusion of negotiations. Similar services are being provided by the Contractor currently and cost/pricing information on the current effort will also assist the Contracting Officer in supporting the fair and reasonable price determination of this procurement.

8. Actions to Remove Barriers to Competition

This Bridge Contract action is required to continue a portion of the operationally essential services as shown in paragraph 3 above during the time following the 26 November 2021 expiration of the current N00178-04-D-4066-EH13 Task Order and the end of the prospective 60-day transition period (31 July 2022) following the current estimated follow-on Task Order award date of 01 June 2022. A gap in service for this tasking would seriously impeded the mission of PMS 400D. A competitive procurement has been solicited and is currently under evaluation.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 6.303-2(c))

I certify that the facts and representations under my cognizance, which are included in this justification and its supporting acquisition planning data, including MOPAS No. PMS 400D 22-001 Bridge Rev: 00 except as noted herein, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE:

[redacted]

CAPT Seth Miller, PMS 400D Date

REQUIREMENTS COGNIZANCE:

[redacted]

Ms. Jill Boward, Executive Director Date
PEO SHIPS

REVIEW FOR LEGAL SUFFICIENCY:

I have determined this justification is legally sufficient.

[redacted]

Ryan Banach, SEA00L Date

CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(b)(12))

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

[redacted]

Tisha Langell, Contracting Officer Date

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as Designee of the Head of the Contracting Activity, the solicitation of the proposed procurement(s) described here using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

Kristine R. Boyles 11/19/21

Kristine R. Boyles, SES Date
Director, Surface Systems Contract Division, SEA 025
Naval Sea Systems Command