JUSTIFICATION AND APPROVAL
TO PROCURE USING OTHER THAN FULL AND OPEN COMPETITION

Justification

1. Contracting Activity

The Naval Sea Systems Command, Naval Surface Warfare Center, Panama City Division (NSWC PCD), 110 Vernon Avenue, Panama City, FL 32407-7001 (Contracts Division Code 02).

2. Description of the Action Being Approved

This action will award a firm fixed price purchase order, on a brand name specific basis, to acquire transit cases manufactured by Environmental Container Systems, Inc. for the Navy Expeditionary Combat Command Enterprise Tactical Command and Control (NETC2) system.

3. Description of Supplies/Services

The contractor shall deliver the following products.

<table>
<thead>
<tr>
<th>Nomenclature</th>
<th>Part Number</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>7303 TSC RACKMOUNT CASE</td>
<td>7303</td>
<td>4</td>
</tr>
<tr>
<td>7903 TSC RACKMOUNT CASE</td>
<td>7903</td>
<td>52</td>
</tr>
<tr>
<td>7304 TSC RACKMOUNT CASE</td>
<td>7304</td>
<td>8</td>
</tr>
<tr>
<td>7906 TSC RACKMOUNT CASE</td>
<td>7906</td>
<td>16</td>
</tr>
</tbody>
</table>

The Governments minimum requirement has been certified by the requiring technical authority. The estimated value of this effort is not to exceed $174,000 of Fiscal year 2016 Other Procurement Navy (OPN) funds. The expected delivery timeline for the items above is ninety (90) days after award. and Administrative Services Act of 1949 (41 USC 251, et seq) and Title 40 USC 501, Services for Executive Agencies.
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, FAR 6.302-1(c).

5. **Rationale Justifying Use of Cited Statutory Authority**

This requirement is not suitable for full and open competition. Use of this specific product is required due to the following conditions:

The Navy Expeditionary Combat Command Enterprise Tactical Command and Control (NETC2) system is a project that enables a commander to set up a self-contained and self-powered facility anywhere in the world. NETC2 provides a standardized, integrated, rapidly deployable, modular, scalable and reconfigurable tactical system to support operations ranging from a small early entry forward component up to and including Navy Expeditionary Force (NEF) commanders. The system is designed to provide commanders a mission critical, integrated family of systems with which to plan, control, coordinate, execute, and assess operations across the spectrum of conflict. A fully fielded NETC2 system includes: shelters; infrastructure; trailers; communications equipment, Government-off-the-shelf (GOTS) C2 and commercial-off-the-shelf (COTS) office automation and collaboration software applications with operator workstations; displays; intercommunications; local area networks; and access to wide area networks. To support this new requirement, the transit cases are required to meet this requirement. This procurement is brand name specific for the following reasons:

In 2007, these transit cases were approved to address water intrusion failures found with the Initial Design vendor that was selected in 2004. Fifteen vendors were considered during the engineering trade study. Some of the vendors' cases considered were not watertight and violated size and weight restrictions; these vendors were eliminated from consideration. Once the list of vendors was narrowed, an engineering evaluation was completed.
which included a cost estimate and an analysis on the pros and cons of each. The load plan was taken into consideration in selecting a vendor to ensure changes to the overall volume and weight of the new transit cases remains at a minimum. The other 3 vendors were Quantum Scientific, Edak, and Zero Cases. Quantum Scientific was rejected due to quality issues and the other 2 vendors scored lower in the evaluations and were not further evaluated. During the valuation, the team discovered that they could reduce cost by using two different types of cases - one for lower cost, larger, less fragile items and the other for high cost fragile items that required more in-transit protection. These cases were chosen for the fragile high cost items because of the superior quality, water tightness, and durability. Other, similar brands did not produce cases large enough for all NETC2 components and with enough protection for very fragile components. Consequently, other brand cases were identified to be used for items deemed not mission critical, or that will not degrade the system's operability due to their loss.

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

The proposed contract was synopsized via posting on the Federal Business Opportunities (FedBizOps) as a small business set-aside to promote the maximum extent of competition, in accordance with FAR 5.2. The combined synopsis/solicitation will express the government’s intent to contract on a brand name basis using FAR Part 13 Simplified Acquisition Procedures (SAP).

7. **Determination of Fair and Reasonable Costs**

The Contracting Officer has determined the anticipated cost to the Government of the services covered by this J&A will be fair and reasonable on the basis of prior historical prices and GSA catalogued prices.

8. **Actions to Remove Barriers to Competition**

Per paragraph 6, this action will be small business set aside, total 100%. If there exists lack of adequate competition or
the proposed prices are not deemed within fair market prices, the government may promote full and open competition (brand name) to allow large businesses participation.
SOURCE SELECTION INFORMATION - SEE FAR 3.104

J&A Number:

TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 8.405-6(b))

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

TECHNICAL COGNIZANCE

REQUIREMENTS COGNIZANCE:

CONTRACTING OFFICER CERTIFICATION (FAR 8.405-6(d))

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

APPROVAL BLOCK (FAR 8.405-6(d) for Approving Official)

Upon the basis of the above justification I hereby approve, as the Competition Advocate of the Procuring Activity, for the solicitation of the proposed procurement using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(a).