



[REDACTED]
DEPARTMENT OF DEFENSE
MISSILE DEFENSE AGENCY
5700 18TH STREET
FORT BELVOIR, VIRGINIA 22060-5573

Approved for Public Release
23-MDA-11402 (15 Mar 23)

J&A No: 23-0007

**JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION**

1. Introduction.

Upon the basis of the following justification, I, as the Missile Defense Agency Director for Contracting hereby approve the issuance of the contractual action discussed below using other than full and open competition pursuant to the authority cited herein.

2. Agency and Contracting Activity (FAR 6.303-2(b)(1)).

This Justification and Approval (J&A) is for the Missile Defense Agency (MDA) Consolidated Support (CS) Program Office. The contracting activity is MDA/CSK, which provides contracting support to the CS program office. The point of contact for this action is [REDACTED]
[REDACTED]

3. Nature and Description of the Action Being Approved, (FAR 6.303-2(b)(2)).

The action approved by this J&A will ensure continued Advisory and Assistance Support (A&AS) to support MDA under one existing cost-plus-fixed-fee (CPFF) legacy Technical, Engineering, Advisory, and Management Support (TEAMS) contract which will provide continuity of existing work and avoid disrupting critical A&AS support to various MDA functional organizations.

The effort authorized by this J&A is an extension of the existing TEAMS Ballistic Missile Defense System Cybersecurity Management and Computer Network Defense (BMDS CSM/CND) contract to extend the period of performance (PoP) by up to six (6) months. This extension will allow continuation of existing work to support multiple MDA functional organizations. The funding for this action will be provided by the current stakeholders on the existing BMDS CSM/CND contract.

4. Description of the Supplies and/or Services Required to Meet the Agency's Needs (including the estimated value), (FAR 6.303-2(b)(3)).

Approval of this J&A provides authority for uninterrupted critical technical and programmatic A&AS services required by MDA functional organizations. The contract action will extend the PoP from February 28, 2023 to August 26, 2023 with an estimated value of [REDACTED] inclusive of all options.

The critical A&AS requirements covered under this J&A provide enterprise-wide efficiencies through centralized management of A&AS support which focus on eliminating redundancies, reducing overhead, and increasing opportunities for sharing technical expertise throughout the Agency include:

- The TEAMS BMDS CSM/CND contract provides comprehensive advisory and assistance services across the Agency to improve weapons systems cybersecurity through Cybersecurity Management (CSM), improve effectiveness of the current DoD Computer Network Defense Service Provider (CNDSP) construct in defending and protecting DoD networks, and improve
- [REDACTED]
- [REDACTED]

[REDACTED]

information cybersecurity integration into the system architecture, system life cycles, and provides accreditation documentation.

TEAMS BMDS CSM/CND

Contract Name: BMDS CSM/CND
Contract Number: HQ0147-17-C-0055
Contractor: System High Corporation
Extend PoP: 02/28/2023 - 08/26/2023

Total Labor + Travel ODC: [REDACTED] (Inclusive of Base Period and all Options)

Current expenditure rates were used as a basis to estimate the value of these extensions. The MDA will use Research, Development, Test & Evaluation funding for this requirement.

5. Statutory Authority Permitting Other than Full and Open Competition (FAR 6.303-2(b)(4)).

The statutory authority permitting other than full and open competition is 10 USC 3204(a)(1), as implemented by Federal Acquisition Regulation (FAR) 6.302-1, Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

6. Demonstration of Contractor's Unique Qualifications or the Nature of the Acquisition Requires Use of the Authority Cited (FAR 6.303-2(b)(5)).

BMDS CSM/CND services are currently being provided on one contract as follows:

BMDS CSM/CND: HQ0147-17-C-0055
Prime Contractor: System High Corporation

The PoP for this contract ends on February 28, 2023. Continued performance after that date is essential to accomplishment of MDA's critical mission.

On October 2, 2019, the MDA Director approved an acquisition strategy that consolidates the requirements of the above contract with the TEAMS Information Technology Management & Analysis (ITMA) into a single follow-on contract titled TEAMS-Next IT & Cybersecurity Management (ITCM).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] In addition, no other contractor is capable of performing the short-term bridge efforts without unacceptable delay. The incumbent contractor is currently providing experienced staff who have required security clearances and familiarity with MDA systems, processes, and operational requirements. Failure to continue uninterrupted contractual coverage for these critical A&AS services will have an unacceptable negative impact on MDA's ability to accomplish its mission. Continuation of the current contract is the only viable solution for providing these mission-essential services without interruption. Furthermore, extension of the existing contract will protect the integrity of the follow-on competition process, thus ensuring a fair and complete source selection and award.

7. Description of Market Research Conducted (FAR 6.303-2(b)(6), (8) and (10)).

Market research was conducted for the initial TEAMS contracts awards, and was completed on April 30, 2015. New market research was conducted for the follow-on TEAMS-Next acquisition which included three Industry Days held in December 2018, June 2019 and December 2019. This continuous market research indicated existence of a broad industrial base capable of satisfying MDA's A&AS service requirements. [REDACTED]

Based on the market research conducted and the competitive source selection, MDA has adequate insight into the market for these services and a Request for Information or Sources Sought Notice would not likely provide any additional useful information to support the acquisition strategy.

The Head of the Contracting Activity delegated the DFARS Procedures, Guidance and Information (PGI) 206.302-1(d) waiver authority for TEAMS-Next acquisitions that need to be extended due to bid protests to the MDA Director for Contracting, designee, on August 30, 2022. The execution of this J&A waives the requirement to post a request for information or sources sought notice for the bridge effort in accordance with DFARS Procedures, Guidance and Information (PGI) 206.302-1(d).

8. Determination of Fair and Reasonable Cost (FAR 6.303-2(b)(7)).

The Government retains detailed data on the incumbent contractor's performance on current contracts and has access to cost/pricing data on other contractors who perform similar service contracts using comparable labor categories. Thorough analysis of proposed prices for the modifications to extend the period of performance will be conducted. This analysis will include comparisons of proposed prices to prices previously incurred under this contract, as well as market analyses for similar services performed by other contractors as applicable. The efforts will provide the Contracting Officer with sufficient data to determine overall price reasonableness of the intended sole source awards.

9. Any Other Facts Supporting the Use of other Than Full and open Competition (FAR Part 6.303-2(b)(9)).

Conducting a new competition at this time is not feasible and would result in unnecessary duplication of costs and effort and would result in a break in service that could potentially expose MDA data and systems to unacceptable risks. The follow-on competition for these requirements is ongoing and being conducted as part of the TEAMS-Next Program.

10. Actions Taken to Remove Barriers to Competition (FAR 6.303-2(b)(11)).

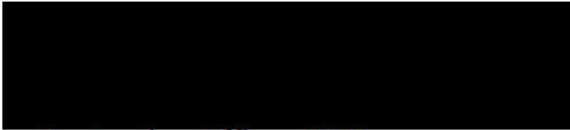
For the purposes of this J&A, the required extension applies to an existing TEAMS contract and the current contractor is the only responsible source to provide uninterrupted A&AS services while the TEAMS-Next acquisition is ongoing. The J&A will not deter open competition for the follow-on TEAMS-Next award. The acquisition approach for the TEAMS-Next contract is being conducted using a small business set-aside competition.

11. Technical/Requirements Official Certification (FAR 6.303-2(c)).

I certify that this justification for other than full and open competition is made in good faith and that the supporting data and information are accurate and complete to the best of my knowledge and belief. I further certify that this request is not the result of a lack of advance planning.


Program Manager, Consolidated Support, CS

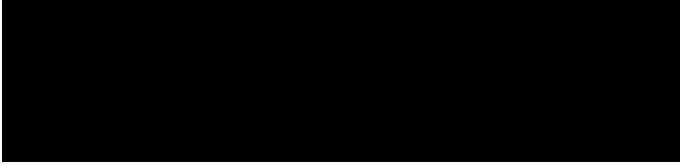
12. Contracting Officer (FAR 6.303(b)). I have determined that the anticipated cost to the Government will be fair and reasonable and certify that the justification is accurate and complete to the best of my knowledge and ability.


Contracting Officer, CSK

13. Contracting Director. I have reviewed the justification and recommend it be approved.


Director of Contracting, CSK


14. Legal Counsel. I have reviewed the justification and determined it to be legally sufficient.


Deputy General Counsel for Acquisition Law

15. MDA Competition Advocate. “I have reviewed the justification and recommend it be approved.”


Competition Advocate, MDA/DA

16. Approval (FAR Part 6.304). In accordance with FAR Part 6.304, the above justification for other than full and open competition and the waiver of the DFARS PGI 206.302-1(d) requirement is hereby approved.


Director for Contracting, MDA/CT