



DEPARTMENT OF THE NAVY
NAVAL AIR SYSTEMS COMMAND
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V2234
CJ&A 22-0308

**CLASS JUSTIFICATION AND APPROVAL
FOR 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 a class of actions on a sole source basis to contract N00019-16-C-0032 with The Boeing Company (Boeing). Authority to act under this CJ&A expires on 29 March 2024.

3. Description of Supplies/Services.

The supplies and services covered under this CJ&A include additional effort related to the previously awarded Engineering and Manufacturing Development (EMD) Integration phase of the Next Generation Jammer Mid-Band (NGJ-MB) program. The NGJ-MB integration efforts covered under this CJ&A are necessary to complete the integration, demonstration, and test of the NGJ Mid-Band system on the EA-18G aircraft and the phased replacement of the AN/ALQ-99 Tactical Jamming System currently mounted to the EA-18G aircraft.

NAVAIR anticipates awarding several modifications in FY23 to the EMD Integration contract to extend the Period of Performance until 29 March 2024, and to acquire the following: Software Build Release Reviews (BRR); requirements verification; integration lab and VX-23 support; instrumentation; Operational Test Readiness Review (OTRR) preparation and deployment; post-OTRR support; aircrew and maintenance cadre training. The supplies and support procured in these modifications will satisfy the Government's minimum needs.

The total estimated value of this requirement is [REDACTED], which will be funded with Research, Development, Test & Engineering (RDT&E) and Royal Australian Air Force (RAAF) Cooperative appropriations as follows:

Estimated Dollar Value [REDACTED]

[REDACTED]	[REDACTED]

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.

In accordance with FAR 6.302-1(a)(2)(ii)(A), substantial duplication of costs to the Government, not expected to be recovered through competition, would be incurred if the NGJ-MB integration and associated requirements were procured through another source. Boeing was awarded the first EA-18G production contract on a sole source basis in December 2003 and has been solely responsible for satisfying all Contractor-Furnished Equipment (CFE) and Government-Furnished Equipment (GFE) integration into the EA-18G aircraft.

As the original equipment manufacturer and sole designer, developer, and weapons system integrator of the EA-18G aircraft and its systems, only Boeing has the established supplier base and management, engineering, and manufacturing processes that are critical to support the integration of CFE, GFE, and related ECPs. Boeing possesses the technical and engineering data, unique and specialized engineering capability, unique logistics support experience, subject matter expertise, resources, configuration control, and detailed knowledge/familiarity to integrate and test the NGJ-MB system on the EA-18G aircraft.

The NAVAIR Cost and Schedule Analysis Department estimates that the Government would incur approximately [REDACTED] in duplicative costs. Outside of the cost to take delivery of technical data that the Government does not have in its possession, this estimate is based on the cost to duplicate the Technical Maturation and Risk Reduction efforts completed by Boeing and its subcontractors, and the cost to acquire duplicate system integration lab equipment, test stations, and developer stations necessary to support the NGJ-MB integration effort. The Government could not expect to recover these costs through competition.

Therefore, Boeing is the only source that can satisfy agency requirements for NGJ-MB integration.

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

Pursuant to Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance, and Information (PGI) 206.302-1, a sources sought notice was posted on the System for Award Management on 11 February 2022. No responses have been received to date. Requirements for this effort were synopsisized on the System for Award Management in accordance with FAR 5.201(b) on 28 June 2022. No other sources expressed interest in the effort or challenged the Government's stated intent to award the contract on a sole-source basis. Any future responses will be evaluated by the Procuring Contracting Officer prior to award.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer has determined the anticipated cost to the Government of the supplies/services covered by this CJ&A will be fair and reasonable.

8. Actions to Remove Barriers to Future Competition.

For reasons set forth in paragraph five, NAVAIR has no plans at this time to compete future contracts for the types of supplies/services covered by this CJ&A. The Government could not expect to recover these costs through competition. If a potential source emerges, NAVAIR will assess whether competition for future requirements is feasible.

Because this is a non-competitive follow-on acquisition to a previous award for the same type of supplies/services, the prior justifications (CJ&A 14-24168 and J&A 19-0184) are provided in accordance with DFARS PGI 206.304(a)(i). Approval of these J&As signifies the approval authority has made the determination required by DFARS PGI 206.304(a)(ii).

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance that 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 signature and name]
[Redacted phone number]
[Redacted date]

LEGAL SUFFICIENCY REVIEW

I have determined this justification is legally sufficient.

[Redacted signature]
[Redacted name]
Name (Printed) Phone No. Date
Office of Counsel

CONTRACTING OFFICER CERTIFICATION

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

[Redacted signature]
[Redacted name]
Name (Printed) Phone No. Date
Procuring Contracting Officer

APPROVAL

Upon the basis of the above justification, I hereby approve the solicitation of the proposed procurements described herein using other than full and open competition, pursuant to the authority of 10 U.S.C §2304(c)(1).

[Redacted signature]
[Redacted name]
[Redacted date]
Date
Director, Procurement Group for PEO(T)