



DEPARTMENT OF THE NAVY

NAVAL AIR SYSTEMS COMMAND
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PATUXENT RIVER, MD 20670-1547

IN REPLY REFER TO:
J&A Number: 23-0185

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

1. Contracting Activity.

Naval Air Systems Command Headquarters (NAVAIR HQ) Patuxent River, Maryland

2. Description of the Action Being Approved.

This Justification and Approval (J&A) authorizes and approves the issuance of a contract on a sole source basis to Undersea Sensor Systems, Inc. (USSI), 4868 East Park 30 Drive, Columbia City, IN 46725, for the production and delivery of Acoustic Communications (ACOMMS) sonobuoy prototypes, in Fiscal Year (FY) 2023 through 2027.

3. Description of Supplies/Services.

The Naval Air Systems Command (NAVAIR) PMA-264 requires the delivery and production of thirty-six (36) ACOMMS sonobuoy prototypes in FY 2023. After FY 2023, each FY procurement will be an option including an additional quantity of thirty-six (36) ACOMMS sonobuoy prototypes in FY 2024, and subsequent options to procure up to one hundred-eight (108) additional quantities for each FY 2025, 2026, and 2027, respectively.

ACOMMS sonobuoy prototypes are air-deployed prototype sonobuoys capable of conducting underwater acoustic communications for the transmission of required waveforms. The ACOMMS sonobuoy prototypes are a variation of the AN/SSQ 125A upper married with the AN/SSQ-125 lower that has been demonstrated as a source sonobuoy in multiple relevant demonstrations. ACOMMS sonobuoy prototypes require special firmware in the AN/SSQ-125A upper design to accommodate government developed communications waveforms modalities specific to the AN/SSQ-125A. The estimated total value of this contract action is \$2M. [REDACTED]

4. Statutory Authority Permitting Other Than Full and Open Competition.

10 U.S.C. 3204(a)(1), Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority.

The United States Navy (USN) has determined the ACOMMS sonobuoy prototypes are only available from one responsible source, USSI. USSI is a designer, developer and manufacturer of the AN/SSQ-125A upper. The USSI design is the only AN/SSQ-125A upper design that currently accommodates the government developed communications waveforms modalities required for the ACOMMS sonobuoy prototype. Due to the proprietary nature of USSI's AN/SSQ-125A firmware design, USSI is the only source able to productionize and deliver the ACOMMS sonobuoy prototype, in the USN's required timeline.

Award to any other source would result in unacceptable delays in fulfilling the USN's requirements of performing Fleet demonstrations.

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

A request for sources sought for ACOMMS sonobuoy prototypes was posted to the System for Award Management (SAM.gov) website on 21 February 2023 and closed on 07 March 2023, in accordance with FAR 5.205(c). This notice was issued to assess the state of the market starting in FY 2024 for the procurement of ACOMMS sonobuoy prototypes. The Government received responses from USSI, Saab, Inc., and Sparton DeLeon Springs, LLC. The program office evaluated all responses and determined Sparton and Saab were not capable of meeting the USN's requirements, because they do not possess or have the ability to obtain the AN/SSQ-125A upper, a required component of the ACOMMS sonobuoy prototype. USSI was determined to be the only viable source capable of meeting the design and delivery requirements set forth in the sources sought notice. The Government notified each respondent of the technical team's finding on 22 March 2023, and each vendor acknowledged receipt.

Since no other sources were deemed capable and it is not practicable for any other company other than USSI to provide the required end-product, no other market research will be conducted at this time.

However, in accordance with FAR 5.201, a synopsis will be posted to the SAM.gov website. Any responses received will be evaluated by the Contracting Officer prior to award. Additionally, parties interested in subcontracting opportunities will be referred to USSI to maximize competition in subcontracted efforts.

7. Determination of Fair and Reasonable Cost.

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

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, NAVAIR HQ, has no plans at this time to compete future contracts for the types of supplies covered by this document. If another potential source emerges, NAVAIR HQ, will assess whether competition for future requirements is feasible.

PMA-264 intends to pursue Other Transaction Authority Agreements (OTAs) to incorporate the waveforms software into the production AN/SSQ-125A sonobuoy. Upon successful qualification these requirements will transition to be procured competitively under the Production Sonobuoy Multiple Award Delivery Order Contract no later than FY 2027.

