

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Pursuant to the requirements of the Test Program for Certain Commercial Items as implemented by FAR Subpart 13.5 and in accordance with the requirements of FAR 13.501, the justification for the use of the statutory authority under 41 U.S.C. 1901 is justified by the following facts and rationale required under FAR 6.303-2 as follows:

### (1) Agency and Contracting Activity

The NASA Shared Services Center (NSSC) proposes to enter into a contract on the basis of other than full and open competition.

### (2) Nature and/or Description of the Action Being Approved

The NSSC proposes to enter into a sole source contract with Collier Research And Development Corporation 760 Pilot House Dr Ste A, Newport News, Virginia for their HyperSizer software. HyperSizer is used throughout the design process--including certification--to quantify all critical failure modes, reduce structural weight, and sequence composite laminates for fabrication to avoid unexpected design problems and weight growth as the design matures. It provides a complete CAE software interface that is used from preliminary design to final analysis in support of Center missions and projects. (3) A Description of the Supplies or Services (Including the Estimated Value)

The following items are required:

7 MSU for HyperSizer Pro Fully Paid-Up Server License

The estimated value of this procurement is \$38,000.00.

### (4) Identification of the Statutory Authority Permitting Other Than Full and Open Competition

The statutory authority that permits other than full and open competition is 41 U.S.C. 1901, implemented by the FAR Subpart 13.501 entitled "Test Program for Commercial Items".

### (5) A Demonstration That the Nature of the Acquisition Requires Use of the Authority Cited

1. Hypersizer was developed as an NASA Langley Research Center (LaRC) Technology Spinoff in the 1990's and no other software of comparable capability has been pursued by other CAD/CAE vendors.
2. The HyperSizer software uniquely provides stress analysis and preliminary structural design for weight reduction, system level trade studies, and part sizing including sizing stiffened panel cross-sectional dimensions, material selection, and optimum composite layup stacking. HyperSizer performs detailed failure analyses and reporting as a post process to a loads finite element model (FEM). HyperSizer also uniquely provides composite material design tools, composite layup editing, optimization, and analysis based on laminate, ply, and fiber/matrix

approaches and contains advance methods for predicting delamination and fracture failure criteria for designing damage tolerance structures.

(6) A Description of Efforts Made to Ensure That Offers are Solicited From as Many Potential Sources as is Practicable

A notice was posted to FBO stating the intent of the NSSC to award a sole source contract. The notice also solicited capability statements from any responsible sources.

(7) Determination by the Contracting Officer that the Anticipated Cost to the Government Will Be Fair and Reasonable

This procurement is for a commercial item, which the price can be determined fair and reasonable based on a comparison of the established market price.

(8) Description of Market Research

Market research determined that Collier Research And Development Corporation is the only provider of the required product.

(9) Any Other Facts Supporting the Use of Other than Full and Open Competition

Market research determined that Collier Research And Development Corporation is the only provider of the required product. Also no responses from responsible sources were garnered from the FBO notice.

(10) A Listing of the Sources, If Any That Expressed, In Writing, an Interest in the Acquisition

No responses from responsible sources were received.

(11) A Statement Of The Actions, If Any, The Agency May Take To Remove Or Overcome Any Barriers To Competition Before Any Subsequent Acquisition For The Supplies Or Services Required.

The Agency will continue to examine the market in the future for alternative solutions before executing any subsequent contract action for the requirement herein. Due the nature of the expressed requirement, there are no known actions which the Agency may take to give consideration to other manufacturers for the requirements described herein.

(12) Contracting officer certification. I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

[REDACTED]

Contracting Officer

[REDACTED]

Date

(13) Technical/Requirements Personnel Certification. I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

[REDACTED]

Technical Representative

[REDACTED]

Date