



DEPARTMENT OF THE NAVY
COMMANDING OFFICER, NORFOLK SHIP SUPPORT ACTIVITY
CONTRACTS DEPARTMENT
P.O. BOX 215
PORTSMOUTH, VA 23705-0215

J&A Number:
13-010
Code: 411(CA)
P.R. Number:
N50054-13-R-0013

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

JUSTIFICATION

1. Contracting Activity

Norfolk Ship Support Activity, Portsmouth, VA
Code 411, Norfolk Naval Shipyard Support

2. Description of the Action Being Approved

This justification provides for limiting the sources of the specified procurement to **Huntington Ingalls Incorporated** in accordance with the statutory authority 10 U.S.C 2304 (C)(2).

3. Description of Supplies/Services

The work to be issued under the above-referenced Basic Ordering Agreement (BOA) consists of services to develop a conceptual design, and if directed by NNSY, execute repairs to the steam generator [REDACTED]. The work has an estimate of approximately \$984,964. The Nuclear Power Training Unit (NPTU) reported [REDACTED]

Repairs must commence immediately

Therefore, in order for the [REDACTED] to comply with upcoming operational requirements, the work identified above, must start on [REDACTED] and complete by [REDACTED]. The Government's minimum needs have been verified by the certifying technical and requirements personnel.

HII is the only contractor that has proficiency for such work having recently completed the design and execution of similar complex [REDACTED]. Additionally, HII is currently performing secondary side work in CVN 72 [REDACTED], which ensures

[REDACTED]

they have the needed expertise. HII has already performed an engineering assessment and feasibility study of the current [REDACTED] problem, and thus HII is familiar with the issues and the internal hardware details. The repair cannot be performed hands-on and will require remote delivery via special tooling and access paths developed and cut by the contracted party. There is insufficient time to develop the qualification in an alternate vendor and complete this work to the applicable standards, develop and qualify the required tooling and design, and train and supply the experts in order to meet the tight timeline required to support the [REDACTED] schedule.

NSSA Code 411 intends to utilize the Submarine Repair Basic Ordering Agreement (BOA) N00024-10-G-4305 to contract for the repairs.

4. **Statutory Authority Permitting Other than Full and Open Competition**

The statutory authority for this procurement is 10 U.S.C. 2304(C)(2)

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

On 30 May 2013, NSSA Code 411 (Procurement) received notification, via email from Mr. Michael Nardelli, of the emergent repairs required on the [REDACTED]
[REDACTED]

Due to the operational schedule of the above vessel, an unusual and compelling urgency precludes full and open competition. Synopsis to permit a full and open competitive procurement under Submarine Basic Ordering Agreement (BOA) N00024-10-G-4304/5 between HII and Electric Boat Corporation would result in an unacceptable delay in returning this vessel to operational status thus impacting the not only the [REDACTED] schedule, but further delaying a scheduled availability on the [REDACTED] which is handling [REDACTED] until repairs are complete. The work identified above, must start on [REDACTED] and complete by [REDACTED] in order to support scheduled completion, and, ultimately, the next established operational commitments. Synopsis would delay award until 15 July 2013.

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

In accordance with FAR 5.202(a)(2), a synopsis has not been issued for the supplies and services described herein. Due to the determination that the nature of this work is of such unusual and compelling urgency, the Government would be seriously injured should this work be delayed to allow for full and open competition.

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

The Contracting Officer has determined that the anticipated cost to the Government for the supplies/services covered by the J&A will be fair and reasonable.

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

For the reasons set forth in Paragraph 5, NSSA has no plans at this time to compete future contracts for the types of supplies/services covered by this document (i.e., future emergent availabilities that preclude full and open competition). As required by the FAR, NSSA competes requirements on the Submarine Basic Ordering Agreement (BOA) whenever feasible and evaluates emergent requirements to determine the best strategy for meeting customer requirements and complying with all regulations. In the case of the [REDACTED], the emergent nature and time constraint of the required repairs did not allow for a planned acquisition to be accomplished.

This is a one-time buy under an urgent and compelling requirement to meet the ship's operational commitments.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance, which are included in this justification and its supporting acquisition planning data, including Acquisition Plan No. N/A, except as noted herein, are complete and accurate to the best of my knowledge and belief.

COMBINED TECHNICAL AND REQUIREMENTS COGNIZANCE:

[Redacted Signature Block]

Signature Name (Print) and Title (Code) Phone No. Date

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90))

I have determined this justification is legally sufficient.

[Redacted Signature Block]

Signature Name (Print) and Title (Code) Phone No. Date

CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(a)(12))

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

[Redacted Signature Block]

Signature Name (Print) and Title (Code) Phone No. Date

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as (*Senior Procurement Executive of the Navy, Designee of the Head of the Contracting Activity, Competition Advocate for the Contracting Activity, Contracting Officer, as appropriate*) the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(2).

(TITLE OF APPROVING OFFICIAL)

[Redacted Signature Block]

Signature

Susan Rush 400
Name (Print)

[Redacted Signature Block]
Date