



DEPARTMENT OF THE NAVY

REGIONAL CONTRACTING DEPARTMENT
 NAVSUP FLEET LOGISTICS CENTER PUGET SOUND
 467 W STREET
 BREMERTON, WASHINGTON 98314-5120

CONTROL NUMBER 2015-13

N00406-15-T-0192

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

1. Contracting Activity.

NAVSUP Fleet Logistics Center Puget Sound

2. Description of Action Being Approved.

Award of a firm fixed price contract on a sole source, urgent basis for supplies and services. Requirement to be solicited and negotiated with; and contract to be awarded to, Johnson Controls, Inc., the sole authorized distributor and service provider of the required brand name manufacturer's ship repair parts and shipboard equipment utilized by a naval vessel ported in Sasebo, Japan. This sole source, urgent acquisition requires that all requested parts and services be procured only from the following manufacturer or their sole authorized distributor and service provider, Johnson Controls Inc.

York International
 5005 York Dr.
 Norman, OK 73069

Johnson Controls, Inc. to provide materials in support of repairs as well as perform overhaul services for three air conditioning compressors onboard while ported in Sasebo, Japan.

3. Description of Supplies/Services.

This requirement is for materials in support of repairs as well as overhaul services for three (3) air conditioning compressors onboard a naval vessel. The requirement is commercial, as the contractor offers both the supplies and services to the private sector as well as the Government. The required supplies are included in the table below:

Part #	Description	Quantity
377-15911-001	Rotating Assy	3
377-15911-002	Gasket Kit	3
377-15911-003	Overhaul Kit	3
364-48393-000	VGD Assembly	3

364-52839-000	Probe	3
064-48923-000	Spinner Cone	3
026-32769-000	Oil Filters	6
026-45541-000	Oil Pump	3
011 00533 000	Oil, 5 gallon pail	12
N/A	Consumables	2

The estimated dollar value of this procurement is (b) (5) SRF Sasebo has submitted FY15 O&MN funds in support of this requirement. Delivery of the materials is required no later than (b) (7)(F) and the overhaul services must be completed prior to (b) (7)(F) in order to accomplish the overhaul services.

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

Section 4202 of the Clinger-Cohen Act of 1996 - a sole source acquisition under the authority of the test program for certain commercial items, as implemented by FAR 13.501(a).

5. Rationale Justifying Use of Cited Statutory Authority.

The naval vessel's Air Conditioning Compressor repair work was identified by the ship in November 2014. In December 2014, Johnson Controls notified the Government that some of the materials needed to complete the overhaul repairs had 32-34 week lead times. In order to complete the required repair work during the ship's availability beginning in September 2015, the repair material must be placed on order as soon as possible, but no later than (b) (7)(F)

The Air Conditioning Compressor's Original Equipment Manufacturer (OEM) installed onboard the naval vessel is York International, which was acquired by Johnson Controls, Inc. in 2005. Johnson Control's, therefore, is the OEM of the Air Conditioning Compressors requiring repair. They have confirmed that the drawings, parts, and other technical information needed to perform repairs in order to meet the ship's mission dates are proprietary and will not be released to the Government.

Therefore, Johnson Controls is the only source for the required services. There are no other known manufacturers and/or service providers capable of providing replacement parts and overhaul services for these urgent repairs. OEM material and services are therefore required to ensure system integrity.

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

Market research indicates that only the proposed service provider is capable of providing the required services. The proposed contract will neither be synopsisized nor posted to the NECO website to solicit offers from as many offerors as possible due to the urgency of the requirement. Instead, it will be solicited orally with a Johnson Controls subsidiary, York International.

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 J&A will be fair and reasonable utilizing the appropriate methodology for the contract type.

8. Actions to Remove Barriers to Future Competition.

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

9. Contracting Point of Contact.

The contracting points of contact for this contract are Brian Reed, NAVSUP FLC Puget Sound Contract Specialist, 360-476-2804, brian.c.reed@navy.mil and Danny Lewis, NAVSUP FLC Puget Sound Contracting Officer, 360-476-5373, danny.r.lewis@navy.mil.

CERTIFICATIONS AND APPROVALS

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which 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.

Technical Cognizance:

(b) (6) _____ LT Aaron T Dobson S331 ³¹⁵⁻252-2846 6 Feb 2015
 Signature Name (Printed) Phone No. Date

Requirements Cognizance:

(b) (6) _____ LT Aaron T Dobson S331 ³¹⁵⁻252-2846 6 Feb 2015
 Signature Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient. 2/3/15

(b) (6) _____ Chris Lybeck 360-476-2939 ~~2/3/15~~
 Signature Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief. To the extent that the J&A/LSJ value is between \$150K and \$650K, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

(b) (6) _____ Denny Lewis 360-476-5573 2/6/15
 Signature Name (Printed) Phone No. Date

CONTRACTING ACTIVITY COMPETITION ADVOCATE REVIEW

To the extent that the J&A/LSJ value is between \$650K and \$12.5M, the Competition Advocate's signature below also represents approval of the J&A/LSJ.

(b) (6) _____ V.A. DASHIELL 360-476-7175 2/6/15
 Signature Name (Printed) Phone No. Date