



DEPARTMENT OF THE NAVY

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

CONTROL NUMBER 2013-23

N00406-13-T-0301

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 basis for onsite technical representative repair services of High Pressure Air Compressors (HPAC) in support of (b)(3) from RIX Industries.

3. Description of Supplies/Services.

This requirement is for RIX Industries to perform onsite Original Equipment Manufacturer (OEM) repair services, deliver and install all replacement parts, and operational testing in accordance with the OEM drawings and OEM repair standards to HPACs #1, and #2 in support of (b)(3). On-site repair/installation to be performed at Puget Sound Naval Shipyard & Intermediate Maintenance Facility (PSNS&IMF) Bremerton, WA, and equipment overhaul to be performed at the Contractor's facility at Benicia, CA. The period of performance is 15 April 2013 through 1 October 2013. The total estimated cost is approximately (b)(5). The requirement will be funded with FY13 O&MN. These funds will be made available prior to contract award.

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

10 U.S.C. 2304(c)(1), Only one responsible source.

5. Rationale Justifying Use of Cited Statutory Authority.

Sole Source:

RIX Industries is the sole designer, developer and manufacturer of the HPAC units (b)(3). The existing installed HPAC units are complex and engineered for submarine applications and vital equipment for breathing air quality. NAVSEA requires all repair and replacement parts be OEM per T/M S6220-EE-MMA-010. All components/parts of the HPACs are proprietary to the OEM. Therefore, RIX Industries is the only contractor with the requisite knowledge, experience and technical data that can provide the required replacement parts and technical representative services for these air compressors. Puget Sound Naval Shipyard (PSNS) is the technical authority for this repair and requires the OEM to provide assessments, repairs and restorations of the HPAC compressor units in accordance with the OEM repair standards prior to ship deployment. Delaying the purchase under the proposed contract until the development by other potential sources of conforming replacement parts would drastically delay deployment schedules, creating significant financial and mission costs for the U.S. Navy that outweigh any anticipated benefit from competition under the proposed contract. Additionally, reverse engineering costs per part are estimated based on one engineer at a rate of (b)(5) per day, requiring a minimum (b)(5) to develop a drawing. The time and cost for approving part drawings and specifications would vary based on the part being reverse engineered. The cost to the government to have other than the OEM manufacture the parts could increase costs per part by more than double.

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

The proposed contract action will be synopsisized on the NECO website per FAR 5.201. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than RIX Industries to provide the required services, repair parts, installation and operational testing.

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, Fleet Logistics Center 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, Fleet Logistics Center Puget Sound will assess whether competition for future requirements is feasible.

CERTIFICATIONS AND APPROVAL

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.

SEE ATTACHED (NEXT PAGE)

Signature Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

(b) (6)

Chris Lybeck 360-476-5754 2/21/13
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.

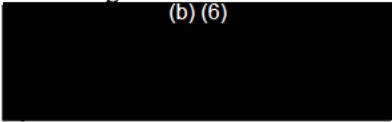
(b) (6)

Dianne L Palmatier 360-476-0374 2/19/13
Name (Printed) Phone No. Date

CERTIFICATIONS AND APPROVAL

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.

(b) (6)


Jonathan Eggers 360/476-0823 2/21/13
Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

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.

Signature Name (Printed) Phone No. Date