



DEPARTMENT OF THE NAVY

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

CONTROL NUMBER 2014-48

N00406-14-C-0001

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 modification to the firm fixed-priced contract issued on a sole source basis to Energy Solutions for fabrication of Carrier Low Pressure Resin Catch Tanks (CLPRCT), Rental of Shield Shipping Casks and transport trailers, and rental of personnel barrier with tall top cover and transportation services in support of Puget Sound Naval Shipyard & Intermediate Maintenance Facility (PSNS & IMF) work in support of an aircraft carrier at Naval Air Station, North Island, San Diego, CA.

3. Description of Supplies/Services.

The contract was awarded to Energy Solutions, on 07 February 2014 in the amount of \$339,436.02 under FAR 15, Contracting by Negotiation due to its non-commercial nature pursuant 10 U.S.C. 2304(c)(1) for sole source.

The modification supported by this J&A is exercise Option CLIN 0003-Personal Barrier rental and add additional shielding to CLIN 0003-Personal Barrier rental. The total value of this modification is (b)(5). The total price increased from (b)(5) with this modification. Funding is FY14 O&MN.

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.

The procurement of CLPRCT and associated support equipment is restricted to Energy Solutions to comply with Naval Sea Systems

endeavor to establish standardized equipment for the media discharge collection and method of shipment. Energy Solutions' equipment design has been determined the only equipment that meets current NAVSEA and DOT maximum curies requirements of 11.7 for radioactive resin unit 21-300. The purpose of the modification is twofold. 1. To exercise Option CLIN 0003 Personnel Barrier Rental. 2. For a within scope modification to add design and deliver additional shielding (steel plate) attached to existing CLIN 0003- Personnel Barrier. Since CLIN 0003 already existing and the additional shielding are inherently specific to CLIN 0003 and fabrication is part of the basic contract for casks, it is determined within scope. The additional shielding is required on the front and back of the Personnel Barrier which includes a tall top cover to reduce the on-contact radiation levels and the truck cab radiation levels per NAVSEA and Dept. of Transportation requirements. Energy Solutions is the only responsible source that have the certifications for radioactive resin certifications that meet DOT and NAVSEA requirements, thus, only Energy Solutions can fabricate the additional shielding for existing CLIN 0003- Personnel Barrier, thus, a competitive procurement is not feasible for the additional shielding whatsoever.

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

The proposed modification to the contract will be synopsisized on the NECO website per FAR 5.201. No additional market research was conducted for this modification because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Energy Solutions to provide the additional required shielding fabrication.

7. Determination of Fair and Reasonable Cost.

The contracting officer will determine the anticipated cost to the Government of the supplies/services covered by this J&A to 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: Marie Smith, Contract Specialist, 360-476-2957, Marie.d.smith1@navy.mil

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.

Technical Cognizance:

Signature Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

(b) (6)

Chris Lybeck *360-476-2939* *9/9/14*

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)

Dianne Palmatier *3604760374* *9/9/14*

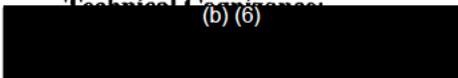
Signature Name (Printed) Phone No. Date

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Technical Cognizance
(b) (6)

	<u>BRIAN BOWKER</u>	<u>360-627-3623</u>	<u>9/10/14</u>
Signature	Name (Printed)	Phone No.	Date

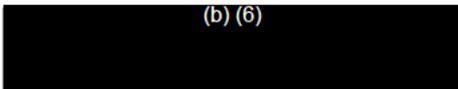
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	<u>Dianne Palmatier</u>	<u>3604760374</u>	<u>9/9/14</u>
Signature	Name (Printed)	Phone No.	Date