



DEPARTMENT OF THE NAVY

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

CONTROL NUMBER 2016-036

N00406-16-R-6073

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.**

This a new contract action for a firm fixed price service type contract for services to asses, groom and repair air conditioning plants 1-6 and refrigeration plants on board a U.S. Naval Vessel in support of Ship Repair Facilities and Japan Regional Maintenance Center (SRF-JRMC) Sasebo, Japan.

This urgent acquisition requires that all requested services and supplies be procured only from the following manufacturer or their sole authorized distributor and service provider as they are the original equipment manufacturer of the air conditioning units and refrigeration plants and have proprietary drawings and technical repair procedures:

Johnson Controls, Inc.
4401 23rd Ave. W
Seattle, WA 98199-1212

3. **Description of Supplies/Services.**

This requirement is for the assessment, grooming and repairing of air conditioning units 1-6 and refrigeration plants. The requirement is commercial, as the contractor offers both the supplies and services to the private sector as well as the Government.

ITEM	QUANTITY	MANUFACTURER
Assessment, grooming and repair	1 SE	Johnson Controls Inc.

The estimated dollar value of this procurement is (b) (5) SRF-JRMC Sasebo, Japan has submitted O&MN funds in sup requirement. The period of performance is 25 May 2016 - 30 June 2016.

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

41 U.S.C. 1901 - a sole source acquisition under the authority of the test program for commercial items, as implemented by FAR 13.501(a).

5. Rationale Justifying Use of Cited Statutory Authority.

Johnson Controls Inc. is the OEM of the air conditioning units and refrigeration plants on board the Navy vessel and uses proprietary repair procedures, technical drawings, and material. Johnson Controls Inc. is the only company that possesses the technical skill and knowledge to accomplish the required services during the stated period of performance. There are no other known manufacturers that can currently provide the parts for these repairs. OEM material is therefore required to ensure system integrity.

Previous contract was completed by Johnson Controls Inc. to identify repair recommendations of the AC units and refrigerator plants onboard the Navy vessel. Bef

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Repairs, assessments and grooms are required

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

No additional research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Johnson Controls Inc. to provide the required maintenance, repair and operational testing.

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 will be fair and reasonable.

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 Tyonie A. Blas, NAVSUP FLC Puget Sound Contract Specialist, 360-476-4472, tyonie.blas@navy.mil and Austin Carter, NAVSUP FLC Puget Sound Contracting Officer, 360-476-0776, austin.carter@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.

(b) (6)	<u>Francisco Santos Jr.</u>	<u>315-252-2849</u>	<u>04MAY2016</u>
Signature	Name (Printed)	Phone No.	Date

Requirements Cognizance

(b) (6)	<u>Francisco Santos Jr.</u>	<u>315-252-2849</u>	<u>04MAY2016</u>
Signature	Name (Printed)	Phone No.	Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

(b) (6)	<u>Chris Lybeck</u>	<u>360-476-2939</u>	<u>29 April 2016</u>
	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)	<u>AUSTIN CARTER</u>	<u>360-476-0844</u>	<u>28 APR 2016</u>
	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.

Signature	Name (Printed)	Phone No.	Date