



DEPARTMENT OF THE NAVY
PEARL HARBOR NAVAL SHIPYARD
AND INTERMEDIATE MAINTENANCE FACILITY
667 SAFEGUARD ST SUITE 100
PEARL HARBOR HAWAII 96860-5033

IN REPLY REFER TO:

J&A No.: 12-011
Code: 400
P.R. No.: N3225312RQ47095
13 SEP 2012

**JUSTIFICATION AND APPROVAL
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION
FAR 6.303**

JUSTIFICATION

1. Contracting activity

The Contracting Activity is Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility, Code 400, 667 Safeguard Street, Suite 500, Joint Base Pearl Harbor Hickam, Hawaii 96860-5023. The requiring activity is the COMPACFLEET Berthing and Messing Program, Detachment Pearl Harbor, Joint Base Pearl Harbor Hickam, Hawaii 96860-5023.

2. Description of the action being approved

The Justification and Approval (J&A) supports the modification to add two work items and extend the period of performance to the existing Firm-Fixed Price contract, N32253-12-C-0006 with Marisco, Limited (Marisco), Cage Code 4R778. The current period of performance for this contract is 23 August 2012 - 31 October 2012. The modification will extend the contract by two months (23 Aug 2012 – 31 Dec 2012). The estimated value of this requirement is \$ [REDACTED]. Fiscal Year 2012 (FY12) Operation and Maintenance (O&M) funding has been committed for this requirement.

3. Description of supplies/services

COMPACFLEET Berthing and Messing Program, Detachment Pearl Harbor consists of seven barges located in Submarine Base Pearl Harbor on the Island of Oahu, Hawaii. Its mission is to provide berthing and messing accommodations for ships currently in Chief of Naval Operation Availabilities when ship's berthing and messing facilities are not available. Part of this mission is to perform periodic maintenance and corrective maintenance while continuously upgrading the barges with current technology. Currently, contract number N32253-12-C-0006 supports the repair and maintenance of one of COMPACFLEET Berthing and Messing Program's barges.

The modification to contract number N32253-12-C-0006 will add the following:

- a. The current CKT J phone system is experiencing degraded services resulting in lost communication abilities on and off the barge. This communication disruption will result

in impact to barge work schedules, evolutions, and work performance. Therefore, the Contractor will accomplish the installation and modification of the barge Dial Telephone System, CKT "J" and associated cabling and equipment in accordance with the Planning Yard Drawings. CKT "J" is the interior and exterior communication circuits for the barges required for communications between ship's force, barge program employees, and Commander Pacific Fleet and Commander Pacific Fleet Submarines. CKT "J" is also the main communication system for casualty/accident reporting. The period of performance will commence upon the issuance of the modification to 31 December 2012. The modification is scheduled for release on 28 September 2012. The total estimated dollar value for this requirement is \$ [REDACTED], and FY12 O&M funding has been committed.

- b. The Contractor will provide technical services to resurface the PRC decking, apply a layer of primer paint, and apply a new PRC deck base coat and color chips. New base coat includes glass beads to meet the MIL-PRF-24613 coefficient of friction per NAVSEA Standard Item 009-26. The period of performance will commence upon the issuance of the modification to 31 December 2012. The modification is scheduled for release on 28 September 2012. The total estimated dollar value for this requirement is \$ [REDACTED], and FY12 O&M funding has been committed.

4. Statutory authority permitting other than full and open competition

The statutory authority permitting other than full and open competition is 10 U.S.C. 2304(c)(1), as implemented by the Federal Acquisition Regulation (FAR) 6.302-1, Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements. The original contract (N32253-12-C-0006) was competed.

5. Rationale justifying use of cited statutory authority

Marisco is the only company that can provide the supplies and services and no other supplies or services will satisfy the program's requirements. Only Marisco can provide the requisite supplies and services due to the company's current scheduled work throughout the barge and the unacceptable delay of work if awarded to any other source than the original provider. Marisco is currently performing other extensive work throughout the barge including the dry docking of the barge at their facility for the repair and preservation. Bringing in another contractor to perform this work would require extensive coordination to perform all of the required work within the availability and would likely result to unacceptable delays. This delay time will impact the Government's ability to meet its mission.

6. Description of efforts made to solicit offers from as many sources as practicable

Market research was conducted per FAR Part 10. In conjunction with conducting market research, the Contracting Officer determined that this requirement falls under FAR 6.302-1(a)(2)(iii), and the contract should be modified to add the work items based on the barge's availability and Marisco's current work on the barge.

7. Determination of fair and reasonable cost.

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 by comparing with prior similar contracts, the Independent Government Estimate, and other market research.

8. Actions to remove barriers to future competition

Due to the timing and the circumstances surrounding the barge as described in Paragraph 5, it would be difficult to compete any future critical requirements given the similar situation.

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:

[Redacted Signature Line]

Signature Name (Print) Title (Code) Phone Date

Requirements Cognizance:

[Redacted Signature Line]

Signature Name (Print) Title (Code) Phone Date

LEGAL SUFFICIENCY REVIEW

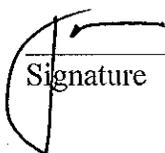
I have determined this Justification is legally sufficient.

[Redacted Signature Line]

Signature Name (Print) Title (Code) Phone Date

CONTRACTING OFFICER CERTIFICATION

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

 Signature JAMES K. MURAKAMI Name (Print) SUPERVISORY CONTRACT SPECIALIST X-4207 Title (Code) Phone 11/1/12 Date