



INDIRIZZO ITALIANO:
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Aeroporto Capodichino
80144 Napoli, Italia

DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND EUROPE AFRICA SOUTHWEST ASIA
PSC 817 BOX 51
FPO AE 09622-0051

J&A No. 11-13JA

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

1. Contracting Activity.

The agency is the Department of the Navy. The contracting activity is the Naval Facilities Engineering Command Europe Africa and Southwest Asia. The contracting office is the Public Works Department, Facilities Engineering and Acquisition Division, Naval Support Activity, Bahrain.

2. Description of the Action Being Approved.

The Facilities Engineering and Acquisition Division (FEAD) proposes to procure by an out-of-scope modification the ability to order Category III work defined as work requiring limited engineering for repair, renovation, and alteration of facilities for a period of 94 calendar days commencing on 29 September 2011 through 31 December 2011 with no change in the contract Not to Exceed price of \$40,000,000.00. The proposed modification will be issued under Contract N33191-07-D-1276, Job Order Contract, Naval Support Activity, Bahrain which expires on 28 September 2011.

3. Description of Supplies/Services.

The services being obtained under this proposed action will be for indefinite delivery indefinite quantity unscheduled and/or emergent repair, renovation, and alteration of existing facilities to include architectural, structural, electrical, and mechanical works. The ordering period will be from 29 September 2011 to 31 December 2011. There will be no increase in contract price as there is sufficient ordering capacity available for the proposed 94 calendar day extension. Funding for any indefinite delivery indefinite quantity task orders will be various FY11 O&M appropriations through 30 September 2011 and various FY12 O&M appropriations for orders placed during the period of 1 October 2011 through 31 December 2011.

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

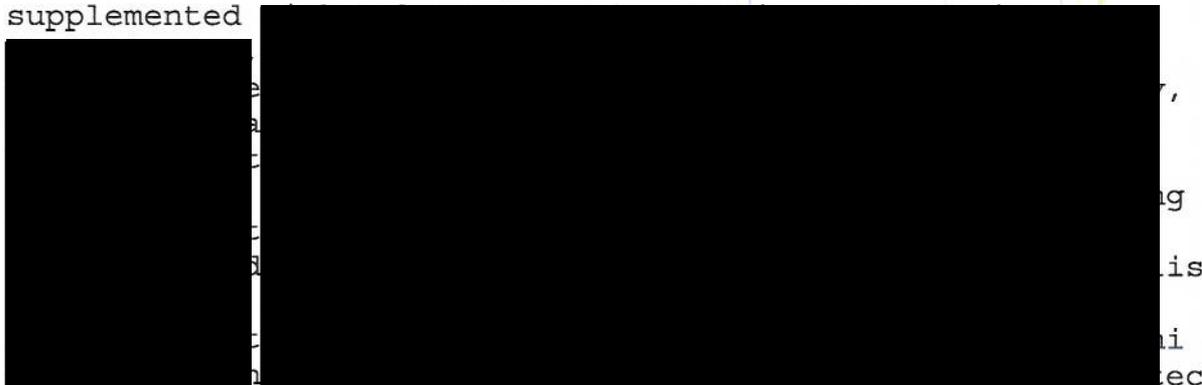
The statutory authority permitting other than full and open competition for this proposed action is 10 U.S.C. 2304(c)(1) as implemented by Federal Acquisition Regulation (FAR) 6.302-1, only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority.

Contract N33191-07-D-1276, Job Order Contract, Naval Support Activity, Bahrain was awarded on 11 December 2006 to Kooheji Contractors (KC), P.O. Box 1041, Manama, Bahrain in the Not to Exceed price of \$40,000,000.00. Contract award was the result of a full and open internationally competitive source selection negotiated procurement with the basis of award as best value utilizing the trade off process. KC was the only contractor to submit a proposal and was subsequently awarded the contract. The resultant contract included a base performance period of 12 December 2006 through 11 December 2007 with four additional twelve month option periods. Modification P00009 was issued on 28 September 2010 exercising the fourth and final option year for the period 29 September 2010 through 28 September 2011. To date, 407 task orders have been issued at a total value of \$27,448,057.17 with a remaining capacity of \$12,551,942.83.

It is in the best interest of the Government to use other than full and open competition to award an out of scope modification extending Contract N33191-07-D-1276 an additional 94 calendar days with no change in the Not to Exceed price of \$40,000,000.00 based on the following:

a. Capital and Human Resources: KC provides the contracted services through their own labor force supplemented





These employees have the necessary skills, licenses, and certifications required to perform repair, renovation, and alteration of existing facilities under small dollar value non-complex task orders. These employees have been vetted and granted access onto all activities covered under the contract. The vetting and badging process takes two to four weeks. While interim access may be granted; the employee must be escorted at all times on the facility. KC has the necessary capital resources and established business relationships within Bahrain and Saudi Arabia to ensure an adequate supply of construction materials and equipment is on hand to provide quality and responsive service.

b. Past Performance: KC has been performing in an overall satisfactory manner since contract award. There is nothing to indicate a deterioration in this quality level will be experienced as a result of an extension of 94 calendar days.

c. Location: Services being performed by KC include the following locations:

(1) Naval Support Activity: Naval Support Activity Bahrain functions as the hub of Navy Region Southwest Asia installations providing administrative support to Naval Forces Central Command and more than 90 tenant commands from every major service. The installation serves as a major logistics node for the ships deployed to the Fifth Fleet. The Naval Support Activity is located in Juffair.

(2) Aviation Unit is located at the Bahrain International Airport (Murrahaq) and is used for fleet mail, cargo, passenger handling, and organizational level aircraft maintenance.

(3) Bahrain Ship Repair and Engineering Company, located at Mina Salman Port, is the location of the Harbor Patrol Unit operating patrol boats.

(4) BANZ Warehouse Complex, located in Juffair, includes various leased warehouse facilities. The Navy controlled facilities are segregated from the rest of the warehousing by a guarded fence.

(5) DoDDS facilities, which occupy 25.7 acres of land, are located a short distance from the Juffair Compound.

(6) Mina Salman Compound is located on a natural harbor in the northeast Bahrain with direct access to the Arabian Gulf. The Mina Salman Port facilities include a pier, quay wall, a roll-on/roll-off ramp, container cranes and storage warehouses. The U.S. Navy occupies Berths 9 and 10.

(7) Riffa Air Base, located in the southern part of Bahrain, hosts a U.S. Army battalion to support the Patriot Missile System.

(8) Isa Air Base, located in the southern part of Bahrain, hosts an expeditionary mission consisting of temporary billeting and support facilities for up to 2,500 personnel representing all major services.

d. The services currently being provided are included in Solicitation N33191-10-R-0514, Base Operations Support Services, Bahrain. [REDACTED]

[REDACTED] This proposed modification will permit an avenue to order unscheduled and/or emergent repair, renovation and alteration to existing facilities on an as-needed basis in a responsive manner at a reasonable cost to the Government during the transition phase and an overlap of 31 calendar days to complete work ordered under various task orders.

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

Based on security requirements, licensing and certification requirements of contractor personnel, length of phase in activities and the need to respond to unscheduled and/or emergent requirements,, market research was not conducted nor efforts made to solicit offers from other sources. No other sources have expressed an interest in this action. In accordance with FAR 5.203(a), a notice of intent to extend Contract N33191-07-D-1276 for an additional two months will be publicized at <http://www.fedbizops.gov>. Pursuant to FAR 6.305(a), the J&A will be posted within 14 days after the execution of the modification.

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 based upon the Independent Government Estimates prepared for each Request for Proposal. The contract requires that all proposals be based on R.S. Means Construction Cost Data with applicable co-efficients accepted upon contract award.

8. Actions to Remove Barriers to Future Competition.

Action has been taken to remove barriers to future competition. Solicitation N33191-10-R-0514, Base Operations Support Services, Bahrain, was issued on a full and open competition inviting competition on an international basis.

[REDACTED]

[REDACTED]

[REDACTED]

The purpose of this action is to maintain the ability to obtain unscheduled and/or emergent repair, renovation and alteration services for an additional 94 calendar days until [REDACTED]

[REDACTED]

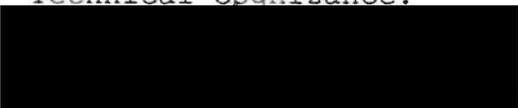
1 December 2011.

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:

		<u>22 Sept 11</u>
OMAR K. HASAN Lieutenant, CEC, USN FEAD Director	Phone No.	Date

Requirements Cognizance:

		
SATYENDRA SINGH FMD Director	Phone No.	Date

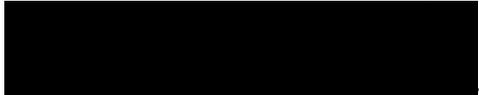
LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

		<u>Sept 22, 2011</u>
DAVID KOMAN Asst. Counsel NAVFAC EURAPSWA	Phone No.	Date

CONTRACTING OFFICER CERTIFICATION

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

  9/22/11
JOE W. DELAWDER Phone No. Date
Supervisory Contract Specialist

APPROVING OFFICIAL

Upon the basis of the above justification, I hereby approve the award of the proposed procurement action described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c) (1).

  9/22/11
JULIE A. ERNESTI Phone No. Date
Chief of Contracts