



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC
9742 MARYLAND AVENUE
NORFOLK, VA 23511-3095

J&A No. ML-17-5

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

1. Contracting Activity.

Naval Facilities Engineering Command (NAVFAC) Mid-Atlantic, Resident Officer in Charge of Construction (ROICC), Camp Lejeune, North Carolina

2. Description of the Action Being Approved.

This is a request for a Justification and Approval for the award of an undefinitized contract on a sole source basis with T&D Solutions, LLC for storm readiness and emergency electrical restoration as a result of Hurricane Matthew at Marine Corps Base Camp Lejeune, North Carolina and surrounding bases.

3. Description of Supplies/Services.

The contractor shall provide storm readiness and restore electrical service that is lost/damaged as a result of Hurricane Matthew. This contract action will be undefinitized as the actual cost is unknown, but is estimated to cost \$200,000.

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

Pursuant to FAR 6.302-2, this acquisition will be acquired under the authority of 10 U.S.C. 2304(c)(2), Unusual and compelling urgency.

5. Rationale Justifying Use of Cited Statutory Authority.

Hurricane Matthew became a known threat to Marine Corps Base Camp Lejeune, North Carolina, only within the last week. The hurricane is quickly approaching North Carolina and is already impacting the area as of today. Due to this short lead time, it was not feasible to solicit a contract action to full and open competition and award the action in time to prevent electrical loss to the Base. Even if the Base were shut down for employees, a power outage would be devastating as there are thousands of residents living aboard the Base. Additionally the loss of power would severely impact numerous mission essential functions, including military activities that must continue despite the storm. Furthermore, as Matthew has not left the area yet, the extent of the possible damage is unknown, and a definite scope could not reasonably be developed prior to the impact of the hurricane. This unknown factor made it even more unreasonable to compete a contract action for this requirement. Based on these reasons, the Contracting Officer has determined that a sole source undefinitized contract issued pursuant to 10 U.S.C. 2304(c)(2) is the contracting vehicle best suited to mitigate what damage may occur to the electrical power supply as a result of Hurricane Matthew. This vehicle will allow a capable contractor familiar with Base

requirements to quickly respond to evolving requirements as the Base identifies areas of power outage and damage as and after the Hurricane has passed the area.

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

The requirement will not be synopsisized prior to award pursuant to FAR 5.202(a)(2). This determination was made because of the urgent nature of the requirement and the lack of lead time involved. Instead, the local electric company, Jones-Onslow Electric Membership Corporation, was queried for suggested electrical contractors. T&D Solutions, LLC, was among the suggested contractors. This contractor is active on Base and is familiar with the Base power grid and specialized requirements which is in the Government's best interests due to the unknown nature of the requirements at this time. The company was contacted, and it was confirmed that the company is ready and able to perform the requirements. Based on the specialized knowledge of electrical work and the Base, the Contracting Officer determined that this contractor was best able to meet the needs of the Base.

7. Determination of Fair and Reasonable Cost

This action will be issued as an undefinitized contract. As such, when the contract is definitized, the scope will be known. The Base utilities branch has extensive expertise in pricing this type of work, and there are also several historical examples available for comparison, including pricing available from T&D Solutions, LLC's previous work on the Base. As such, the Contracting Officer is confident that a determination of fair and reasonable cost will be reached.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, NAVFAC Mid-Atlantic, ROICC Camp Lejeune has no plans at this time to compete future contracts for the type of supplies/services covered by this document. If another potential source emerges, NAVFAC Mid-Atlantic, ROICC Camp Lejeune will assess whether competition for future requirements is feasible.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS/FUNCTIONAL LEAD 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.

[Signature] JAMES D. MAHONEY 10.7.16
Signature Name (Printed) Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

LARKIN.LAURA.ALICE.1181209395 Digitally signed by LARKIN LAURA.ALICE.1181209395
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USM,
cn=LARKIN LAURA.ALICE.1181209395
Date: 2016.10.07 13:26:18 -04'00'
395 _____
Signature Name (Printed) Date

CONTRACTING OFFICER CERTIFICATION

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

[Signature] Meghan J. Hslop 10/7/16
Signature Name (Printed) Date

Upon the basis of the above justification, I hereby approve the solicitation of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304 (c) (2).

APPROVING OFFICIAL (NFAS 6.304) - ECHELON IV CHIEF OF THE CONTRACTING OFFICE

Signature Kimberly Kahler 10/7/16
Name (Printed) Date