



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC
9324 VIRGINIA AVENUE NORFOLK, VIRGINIA 23511-3095

J&A No. ML-16-22

(CLASS) JUSTIFICATION AND APPROVAL

FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity.

The contracting activity is Naval Facilities Engineering Command Mid-Atlantic. The procuring contracting office is the North Integrated Product Team located in Norfolk, VA, and the administering contracting office is the Facilities Engineering and Acquisition Division of the Public Work Department Maine located at the Portsmouth Naval Shipyard, Kittery, ME.

2. Description of the Action Being Approved.

This Justification and Authorization seeks authority to limit competition for the provision of brand name equipment as follows: Section 22 15 26.00 20 High Pressure Air Piping and Leased Equipment - Leased High Pressure Air Compressor System: American Compressor Company, Universal Highpack Model 55H75 Compressor Package.

3. Description of Supplies/Services.

Solicitation N40085-16-R-3011, Structural Repairs at Berths 11A, 11B, & 11C, will be issued for repair/modernization of 1263 LF of pile supported open wharf structures originally constructed in 1943 with the intent of restoring the load carrying capacity of the portal crane rail system along the waterfront and providing corrosion protection of the wharf to allow for continued optimal usage of the facility. Berths 11A, 11B, and 11C are actively used for submarine maintenance availabilities at Portsmouth Naval Shipyard. Sections of the berths will remain in-use for the full duration of the project. The work area is within a highly congested industrial environment and the repair effort requires detailed work sequencing requirements to avoid disruption or delays to the ongoing boat maintenance schedules.

The acquisition will solicit proposals using Full and Open Competition. The estimated value for the overall project exceeds \$38M; the items identified herein above are estimated to cost approximately \$299,000, which includes \$143,000 for delivery and set-up, and \$156,000 for monthly rental charges (12 months at \$13,000 per month). The contractor will only need to provide a temporary compressor at times when the distribution system is secured and the shipyard has a need for the high pressure air system, not for the full duration of the contract. The work under this contract is required to be completed within 837 days after award.

The brand name materials/equipment will be procured by the prime contractor/subcontractor under the terms of the contract. Daily maintenance and operation of the leased equipment will

be performed by Government personnel due to the mission-critical nature of the high pressure air distribution system and direct interface with nuclear submarine systems and components.

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

The statutory authority for this acquisition permitting other than full and open competition is 10 U.S.C. 2304(c)(1) permits the use of limited suppliers when it is essential to the Government's requirements as implemented by FAR 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority.

A leased high pressure air compressor system and associated piping will be utilized to provide temporary supply of high pressure compressed air service at Dry Dock 1 and Berth 11C during planned interruptions to existing distribution systems resulting from work associated with special project RM14-2010 Structural Repairs at Berths 11A, 11B, and 11C.

Portsmouth Naval Shipyard (PNSY) utilizes the high pressure air distribution system to support mission-critical nuclear submarine maintenance availabilities at dry dock and pier facilities. The distribution system, including the compressor, is strictly controlled to ensure the quality of the air supply and compatibility with submarine systems. Due to the vital nature of the high pressure air service, daily maintenance and operation of the distribution system, including any temporary leased compressors must be performed by qualified Government (NAVSEA) personnel. PNSY currently owns and operates several Model 55H75 compressor packages. This system has service proven compatibility with the existing distribution system and nuclear submarine systems and components. The equipment requires on-call 24/7 staffing support to meet safety protocols, shipyard production schedules, and PNSY employees are trained/qualified to operate and maintain this equipment. Use of an unfamiliar system or components that do not have service-proven compatibility with the existing distribution system and nuclear submarine systems and components would result in unacceptable risk to the shipyard mission, specifically reactor safety during the submarine availability.

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

A notice of the proposed contract action shall be advertised in the Federal Business Opportunities in accordance with the requirements of FAR 5.201.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine that the price for the acquisition is fair and reasonable pursuant to FAR Parts 14 and 15. The cost to the government will be established by receiving competitive bids, comparing them with the government estimate, and determining reasonableness prior to contract award.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, this is a one-time exception to full and open competition. There are no plans at this time to compete future contracts for the types of supplies/services covered by this document. If another potential source emerges, an assessment of whether competition for future requirements is feasible will be undertaken.

JUSTIFICATION AND APPROVAL # ML-16-22
CONTRACT # N40085-16-R-3011

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.

<u>Nathan Libby</u>	<u>LIBBY.NATHAN.P.1251887361</u>	<u>5/18/16</u>
Name (Printed)	Signature	Date

Digitally signed by LIBBY.NATHAN.P.1251887361
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Date: 2016.05.18 16:20:19 -04'00'

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

<u>MCDONALD.LUCIE.J.1229115908</u>	<u>Lucie McDonald</u>	<u>115908</u>
Name (Printed)	Signature	Date

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CONTRACTING OFFICER CERTIFICATION

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

<u>Crystal Godwin</u>	<u>Crystal R. Modie</u>	<u>19-May-2016</u>
Name (Printed)	Signature	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) (1).

ACTIVITY CONTRACTING OFFICER APPROVAL

<u>Kimberly Kahler</u>	<u>Kimberly Kahler</u>	<u>5/20/16</u>
Name (Printed)	Signature	Date