

**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 at Naval Station Norfolk 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 in Kittery, ME.

2. Description of the Action Being Approved.

Authorization to limit competition for provision of the following brand name item is hereby sought. The solicitation will require the use of Plascore Pharma cleanroom wall and ceiling systems that will provide the interior finishes of the radiologically controlled areas (RCAs) throughout the complex. Further information regarding the need to use this particular system is provided herein below.

3. Description of Supplies/Services.

The intent of solicitation N40085-16-R-3036 for the Dry Dock (DD) 1 Defueling Complex is to provide new enclosures to perform nuclear defueling services on Los Angeles Class submarines in DD #1 at Portsmouth Naval Shipyard in Kittery, ME. The work includes new custom-built modular enclosures that will make-up the defueling complex for performing nuclear defueling services in accordance with NAVSEA 389 0288, Radiological Controls for Shipyards.

This acquisition will solicit proposals utilizing full and open competition, as authorized by the approved DD2579 on 07 October 2016. The estimated value of the work included in this construction solicitation is [REDACTED], and the estimated value of the brand name supply that is the subject of this J&A is [REDACTED]. The project will be funded by FY17 Capital Investment Program (CIP) funds. The work under this contract is required to be completed within 730 days after award.

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) which permits the use of limited suppliers when it is essential to the Government's requirements, as implemented by 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.

Portsmouth Naval Shipyard performs defueling services for nuclear submarines in accordance with NAVSEA 389 0288, Radiological Controls for Shipyards. This document provides the means and methods of how to prevent the spread of radiological contamination in radiologically controlled areas (RCAs) and specifies requirements related to minimization of cracks and crevices, as well as the ability to be easily decontaminated if contaminated. NAVSEA 389 0288 also dictates strict fire protection requirements for RCAs to minimize the possibility of fire that could result in the spread of radioactive contamination. This necessitates that the materials in the RCA have a Class A finish per NFPA 801. Previous defueling facilities utilized fully welded stainless steel for interior finishes of RCAs, but this was costly and presented significant challenges to meet the NAVSEA 389 0288 requirements.

The recently completed defueling complex at Puget Sound Naval Shipyard and Intermediate Maintenance Facility utilized a commercial off-the-shelf (COTS) panel system, Plascore Pharma, for all wall and ceiling surfaces within RCAs based on extensive research and testing, and it was approved by NAVSEA 08R to be in compliance with NAVSEA 389 0288. Based on extensive market research, the Plascore Pharma system is the only COTS system that meets all of the following requirements: (1) Manufactured in the USA; (2) NFPA Class A Finish; (3) Meets geometric limitations to maintain compliance with NAVSEA 389 0288; and (4) History of acceptance for use by NAVSEA 08R. Because Plascore Pharma is the only system meeting the aforementioned requirements, designing generic specifications for which only one system can satisfy would add unnecessary risk to the design by eliminating the manufacturer-specific details that ensure NAVSEA 389 0288 compliance.

Authority to name the Plascore Pharma system as a required source is necessary because the product meets the solicitation's specific needs while being manufactured in the USA, and it is the only product on the market that fulfills all of the requirements outlined above. The specifications for the remainder of the work in the solicitation are non-proprietary and offer only salient characteristics.

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

A sources sought notice was published on 19 September 2016, and a pre-solicitation notice and solicitation will both be publicized on Federal Business Opportunities and Navy Electronic Commerce Online, in accordance with the requirements of FAR Part 5. The approved J&A will also be made publicly available as required by FAR 6.305.

##### 7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine that the price for this acquisition is fair and reasonable in accordance with FAR Part 15 prior to contract award. Analysis will be performed by one or more of the following techniques: (1) Comparison of proposed prices received in response to the RFP; (2) Comparison of proposed prices with the Independent Government Cost Estimate (IGCE); (3) Comparison of proposed prices with available historical information; and/or (4) Comparison of market survey results.

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.

[Signature page redacted]