



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

1. Contracting Activity.

NAVSUP FLC BAHRAIN

2. Description of Action Being Approved.

Negotiate and award of a firm fixed price contract on a sole-source basis to Fincantieri Marine Systems North America (FMSNA), the Original Equipment Manufacturer Main Propulsion Diesel Engines (MPDE) installed on board all the MCMs.

3. Description of Supplies/Services.

The proposed acquisition is to over-haul Main Propulsion Diesel Engine lube oil filter system (FILTREX) on board. In order to accomplish the job the contractor will have to provide the filter assembly parts. The total estimated dollar value of this acquisition is

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

FAR Part 6.302-1 Only one responsible source and no other supplies and services will satisfy agency requirements [(10 U.S.C. 2304(c) (1)]

5. Rationale Justifying Use of Cited Statutory Authority.

The performance of the services under this procurement requires detailed design knowledge, access to manufacturer's drawings, manufacturing history, and readily available factory parts, which can only be provided by the original equipment manufacturer (OEM). The MPDEs installed on the Mine Counter Measure (MCM) ships are manufactured by ISOTTA FRASCHINI which is owned by Fincantieri Marine Systems North America (FMSNA). FMSNA diesel engines and the technical data are proprietary. FMSNA does not authorize third parties to work on its proprietary systems, it will not agree to perform as a subcontractor and acquiring technical data rights from FMSNA would be cost-prohibitive. Due to these factors, FMSNA is the only company with the requisite expertise, technical information, and capability to meet the Government's need.

A technical data package suitable for the competition is not available since manufacturing information on the diesel engines of MCMs is proprietary and the goal of this procurement is to repair the engines with the OEM's expertise, and provide continued engineering and technical services.

J&A Number:  
Code: 313  
P.R. Number:

Based on the above information, Fincantieri Marine Systems North America (FMSNA) is deemed the only responsible source.

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

No additional market research was conducted because it is not practicable, for reasons discussed in paragraph 5 above, for any company other than Fincantieri Marine Systems North America (FMSNA) to provide the required supplies and services.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer will utilize previous history of similar scope / similar magnitude work to determine that the final price is fair and reasonable for the supplies/services covered by this J&A.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in paragraph 5, NAVSUP FLC Bahrain 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, NAVSUP FLC Bahrain will assess whether competition for future requirements is feasible.

**TECHNICAL AND REQUIREMENTS CERTIFICATION (FAR 6.303-2(c))**

I certify that the facts and representations under my cognizance, which are included in this justification and its supporting acquisition planning data, are complete and accurate to the best of my knowledge and belief.

TECHNICAL COGNIZANCE: \_\_\_\_\_