



DEPARTMENT OF THE NAVY
NAVSUP FLEET LOGISTICS CENTER
YOKOSUKA
PSC 473 BOX 11
FPO AP 96349-0011

J&A Number: YOK 17,484

(CLASS) JUSTIFICATION AND APPROVAL
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity

NAVSUP Fleet Logistics Center Yokosuka (FLCY), Japan

2. Description of the Action Being Approved

This Justification is for sole source procurement of Shore Electrical Power for the USS Emory S Land (AS 39) Voyage Repair (VR) period; 15 March - 24 April 2013 at Alava Pier, Subic Bay, Philippines.

3. Description of Supplies/Services.

The voyage repair consists of electrical, structural, piping and mechanical repairs. These repairs are necessary to maintain the safety, operational and mission capability requirements of the vessel in accordance with Military Sealift Command standards.

4. Statutory Authority Permitting Other Than Full and Open Competition

Subic Dry Dock Corporation is the Master Ship repair Agreement (MSRA) contractor currently working on the USS Emory S Land for the Voyage Repair (VR); Period of Performance is 15 March -24 April 2013.

For the initial solicitation, all MSRA/ABR holders in the Philippines were asked to quote. Subic DryDock Corporation and Translift Port Services were the only 2 vendors that responded with price quotes.

Subic DryDock Corporation was the successful low offeror on this ship repair package. They were the only offeror who proposed on all of the ship repair items.

Originally, the electrical shore power was not required for this availability, under the general services for the ship, as the ship was going to use their own generators for electrical power. A couple of days into the VR period, a main steam line developed a leak that could not be isolated for repairs. Therefore, a need to have electrical shore power was immediately required, so that the ship's generators could be secured to repair the leak.

Due to the nature of the job, other MSRA/ABR vendors in the Philippines are not able to perform this due to the emergent and immediate nature of the requirement. Specifically, Translift Port Equipment, the other MSRA/ABR holder will not be able to provide the electrical shore power within the requisite time because the shore power is needed immediately due to the main steam line casualty.

Only Subic DryDock Corporation complied and ensured they had the capabilities to perform the repairs for the VR period. Therefore, Subic DryDock Corporation is the only one responsible source who can or will satisfy the agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority

Subic DryDock Corporation is one of the two U.S. Navy source holding a MSRA in Philippines. Currently, it is the only MSRA holder that possess the necessary experience, equipment, qualification and production (i.e., planning, engineering and skilled labor) capabilities to satisfactorily meet the U.S. navy's requirements.

Subic DryDock Corporation was re-certified under NAVSUF Fleet Logistics Center, Site Singapore, the Master Ship Repair Agreement (MSRA)/ Agreement for Boat Repair (ABR) survey processes. A site survey conducted in November 2012 found Subic DryDock Corporation's assets, operations and financial condition suitable for issuance of a MSRA, and subsequently they were recertified and currently maintain that status with NAVSUF Fleet Logistics Center, Site Singapore.

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

The original solicitation for this repair availability was sent to all MSRA and ABR holders in the area where these repairs must be performed. Out of all of the offerors, only Subic Drydock Corp. has provided shore power for this class of vessel before. Subic Drydock Corp. has their own generators and therefore can mobilize immediately. The other offerors do not have their own generators, and would therefore have to subcontract to another provider (most likely from Manila). Since the shore power is required immediately, Subic Drydock Corp is the only offeror who can satisfy the agency requirements.

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. Subic Drydock Corporation has provided shore electrical power to the USS EMORY S LAND on three previous occasions (Oct 2011, Oct 2012, and January 2013). In each case the shore power was part of the basic contract. The cost of shore power during these past contracts can be used to ensure that the cost this time will be fair and reasonable.

SOURCE SELECTION INFORMATION – SEE FAR 2.101 AND 3.104

Encl (4)

8. Actions to Remove Barriers to Future Competition

This requirement is a "one-of" requirement resulting from an unplanned casualty to the ship's electrical power generating system. It cannot be competed due to the urgent and immediate nature of the requirement. If there are requirements for shore power in the future that are not due to a casualty, then they will be competed among all MSRA/ABR holders in the area.

9. Contracting Point of Contact

Evelyn Progasom

10. Prepared by

Evelyn Progasom and Charles A. Maher

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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:

Charles A. Maher Charles A. Maher (65) 670-2555 23 March 2013
Signature Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

Mark W. Golden Mark W. Golden 243-7764 25 March 13
Signature Name (Printed) Phone No. Date

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief. To the extent that the J&A/LSJ value is between \$150K and \$650K, the Contracting Officer's signature below also represents approval of the J&A/LSJ.

[Signature] [Signature] 2551 25 MAR 2013
Signature Name (Printed) Phone No. Date