



DEPARTMENT OF THE NAVY
NAVSUP FLEET LOGISTICS CENTER YOKOSUKA
FAR EAST CONTRACTING DEPARTMENT
SASEBO CONTRACTS DIVISION
PSC 476 BOX 6
FPO AP 96322-0001

J&A Number: YOK 17,337

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

1. Contracting Activity: NAVSUP, Fleet Logistics Center, Yokosuka, Far East Contracting Department, Sasebo Contracts Division, PSC 476 Box 6, FPO AP 96322-0016

Requiring Activity: U.S. Navy Ship Repair Facility (SRF) and Japan Regional Maintenance Center (JRMCM), Detachment Sasebo, Japan.

2. Description of the Action Being Approved

Award of a contract to Shinko Company, on sole source basis to replace the Non-Skid Deck Covering on the Flight Deck, aboard the USS GERMANTOWN (LSD-42) and in support of the U.S. Navy Ships Repair Facility & Japan Regional Maintenance Center Detachment Sasebo, Japan.

3. Description of Supplies/Services.

Materials, tools and personnel are required to remove exiting non-skid from the USS GERMANTOWN (LSD-42) flight deck and install a new non-skid flight deck. Period of performance is from 1 December 2011 through 19 January 2012. The total estimated dollar value of this acquisition is \$600,000. FY12 Operations and Maintenance type funds are placed in the contract file in the amount of \$700,000.

4. Statutory Authority Permitting Other Than Full and Open Competition

10 U.S.C. 2304(c)(2), Unusual and Compelling Urgency.

5. Rationale Justifying Use of Cited Statutory Authority

On 15 November 2011, SRF was notified by the Combined Task Force 76 Deputy Commander, CAPT Walter Towns, that the flight deck on USS GERMANTOWN (LSD-42) was so degraded that the Marine Corps Helicopters could no longer use her as a landing platform, thus jeopardizing one of the primary missions of the amphibious landing ship. Based upon this notification the SRF Program Manager immediately began planning an urgent repair. USS GERMANTOWN (LSD-42) planned on commencing her Holiday Up-keep availability in late November and therefore the work was planned for approximately mid-November 2011 to mid-January 2012.

In order for the USS GERMANTOWN to meet her operational commitments the flight deck must be completed by 19 January 2012. As Code 240 regularly performs flight deck non-skid replacement it is known that it historically takes a contractor in Sasebo approximately 60-90 days to complete a flight deck of the size and scope of the USS GERMANTOWN's. An additional 45 days lead time is necessary in order to order and receive all necessary

materials from CONUS. Additionally, NAVSUP FLCY Code 240 requires approximately 45 days to write a solicitation, receive the appropriate legal review approvals, give contractors time to review the requirement and award the contract. Together, the standard total lead time required to award this type of work is 150-180 days. Due to the sudden urgency of the requirement, NAVSUP FLCY Code 240 received a complete package from SRF on 21 November 2011, leaving only 59 days to develop a solicitation, compete the solicitation, award a contract and perform the work. Well short of the standard 150-180 days necessary.

Given the extremely tight schedule the Contracting Officer determined that it was first necessary to determine if a contractor could accelerate the work to complete it within the 59 day window. In order to make this determination a Request for Information was issued to all companies with the proper qualifications and experience performing non-skid work, requesting their input on the feasibility of the work and whether they would be able to support the potential requirement. The RFI responses, given verbally to the Contract Specialist, made the Contracting Officer aware that only one source had sufficient man-power and ability to order short-notice materials in the quantities necessary to complete the requirement within the available time-frame. The contractor, Shinko, stated that to meet the required completion date would necessitate award of a contract by 1 December 2011 due to material ordering lead-time (expedited due to the urgency of the requirement) and would require extensive over-time and additional man-power working virtually non-stop. Two other contractors, Sumitomo Heavy Industries and Sasebo Heavy Industries, stated that they neither had the necessary man-power available, nor the ability to perform the work in the tight time-frame necessary by the requirement.

Given the above information, the Contracting Officer, after discussing the matter with Legal Counsel, agreed that it was necessary and proper to award, on a sole source basis due to the Unusual and Compelling Urgency a contract to Shinko Co. to perform the non-skid work on USS GERMANTOWN (LSD-42)

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

After receipt of the complete package a RFI was sent to the 3 known non-skid companies in Sasebo. After issuing the RFI, 2 companies stated that they could not perform the work given the extremely limited time available to perform the work and given all the other work they had during this availability. One company stated that they could in fact complete the work provided that they had a contract by 1 December 2011. This Justification and Approval is to award a contract to this company, Shinko Co.

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.

8. Actions to Remove Barriers to Future Competition

Normal lead times allow for competition of similar requirements. This Justification and Approval seeks exception to Full and Open Competition due to the extremely limited time available to perform the work.

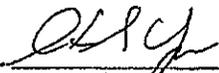
J&A Number: 17,337

CERTIFICATIONS AND APPROVAL

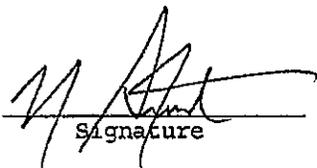
TECHNICAL/REQUIREMENTS CERTIFICATION

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:

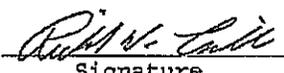
	<u>ANTONIO S. YUSA</u>	<u>252-2843</u>	<u>11/30/2011</u>
Signature	Name (Printed)	Phone No.	Date

Requirements Cognizance (CO/Flag/SES):

	<u>N. SEXTON</u>	<u>252-2881</u>	<u>11/30/11</u>
Signature	Name (Printed)	Phone No.	Date

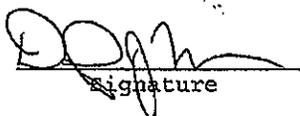
LEGAL SUFFICIENCY REVIEW

I have determined this justification is legally sufficient.

	<u>Richard W. Carlile</u>	<u>421-2781</u>	<u>29 Nov 11</u>
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.

	<u>Daniel J. Knapp</u>	<u>252-3492</u>	<u>11/30/11</u>
Signature	Name (Printed)	Phone No.	Date

SOURCE SELECTION INFORMATION - SEE FAR 2.101 AND 3.104

Encl (4)

COMPETITION ADVOCATE CONCURRENCE


Charles Dupray 243-8383 11-30-11
 Signature Name (Printed) Phone No. Date
 FISC YOKOSUKA COMPETITION ADVOCATE

APPROVAL REQUIRED BY FAR 6.304 (SEE FAR 6.304 FOR APPROVAL OFFICIAL)

Upon the basis of the above justification, I hereby approve, as Senior Procurement Executive of the Navy, 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) (provide appropriate citation).

N/A

 Signature Date