



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHEAST
JACKSONVILLE, FL 32212-0030

J&A No. N69450-16-0214

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

1. Contracting Activity: The contracting activity is Naval Facilities Engineering Command Southeast (NAVFAC SE), Naval Submarine Base (NSB) Kings Bay, Georgia.

2. Description of the Action Being Approved. Modification to increase the indefinite delivery, indefinite quantity capacity under contract N69450-11-D-7578 by \$2,000,000.00 from \$6,104,541.94 to \$8,104,541.94 for Option Period Four. To date, \$4,503,698.91 has been obligated with only \$1,600,843.03 remaining for the rest of the option period. The period of performance for Option Period Four is 1 December 2015 through 30 November 2016. O&M funds will cross fiscal years; however, task order funding is requested on an individual basis and appropriate fiscal year funding will be requested at time of task order award. This is a combination firm-fixed-price, indefinite delivery, indefinite quantity (FFP/IDIQ) contract with option provisions for base operations support (BOS) I services at NSB Kings Bay, Georgia. The contract was awarded on 15 August 2011 to Kings Bay Support Services, LLC, 1725 Duke Street, Suite 400, Alexandria, VA 22314.

3. Description of Supplies/Services. The performance work statement (PWS) includes BOS services to be performed at NSB Kings Bay, GA and a Naval Tower located in Shellman Bluff, GA. Major tenants of NSB Kings Bay are Submarine Group 10; Submarine Squadron 16/20; Naval Submarine Support Center; Strategic Weapons Facility Atlantic (SWFLANT); Marine Corps Security Force Company; Trident Refit Facility (TRF), and Trident Training Facility. The KBOS I services include the following requirements: Public Safety, Harbor Security, Security Operations, Port Operations, Personnel Support, Bachelor Quarters, Facility Management, Facility Investment, Other (Swimming Pools), Pavement Clearance, Utilities, Chiller, Electrical, Wastewater, Steam, Water, Telecommunications, Supervisory Control and Data Acquisition, Compressed Air, Base Support Vehicles and Equipment, and Environmental services. Vertical Transportation Equipment (VTE) services will be provided under this contract for a Naval Tower located at Shellman Bluff, GA. Known and recurring maintenance and service requirements are performed under the FFP portion of the BOS contract, while non-recurring/unforeseen maintenance is accomplished through issuance of task orders under the IDIQ portion of the BOS contract.

The estimated dollar value is \$2,000,000 to increase the IDIQ capacity in Option Period Four from \$6,104,541.94 to \$8,104,541.94. The estimated cost for this action was derived from increase in SWFLANT and TRF requirements, increase in Utility Energy Management requirements, and increase in security requirements which total \$1,321,791. An additional increase to capacity in the amount of \$678,209 is also requested for unforeseen emergent repairs, as the Dry Dock will be undergoing major maintenance availability during this time. Each of these items is discussed in further detail below:

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

- a. INCREASE IN SWFLANT AND TRF REQUIRMENTS REQUIRING A \$878,593 INCREASE TO IDIQ CAPACITY.

Situation:

Several emergent task orders of significant size were required to be executed during this option period. These task orders included:

1. TRF Dry Dock Crane Rail Alignment. A \$397,000 task order (#1153) was awarded to the BOSC for crane rail repairs and alignment [REDACTED]
2. TRF Dry Dock P20 Drainage Pump Replacement. A \$163,549 task order (#1019) was awarded to the BOSC for a critical Drainage Pump replacement at the Dry Dock.
3. SWFLANT RBC Chiller Replacement. A \$114,615 task order (#1075) was awarded to repair a critical chiller [REDACTED]
4. TRF Dry Dock Trash Rack Repair. A \$103,429 task order (#1114) was awarded to the BOSC for Dry Dock Trash Rack Repairs [REDACTED]
5. SWFLANT Enclave Fence. There is a pending \$100,000 task order [REDACTED]

Impact:

Unforeseen mission critical repairs, replacements, and projects in highly secured areas of Kings Bay require immediate response. The KBOS I Contractor is best suited and resourced for these tasks. The KBOS I contractor is already badged and met security requirements to begin work in all restricted areas of SUBASE without delay and is intimately familiar with the facilities and equipment.

- b. INCREASE IN UEM REQUIREMENTS REQUIRING A \$222,289 INCREASE TO IDIQ CAPACITY.

Situation: Several emergent task orders of significant size were required to maintain UEM commodity services. These task orders included:

1. UEM Emergency Generator Governor Repair. A \$112,342 task order (#1156) was awarded to the BOSC for emergent repairs of a SWFLANT Emergency Generator [REDACTED]

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

2. UEM Central Thermal Plant Chiller Repair. A \$109,947 task order (#1131) was awarded to the BOSC for repairs to a Central Thermal Plant Chiller servicing the upper base.

Impact:

Aging infrastructure required unforeseen repairs to critical electrical systems. All electrical utilities are in the Integrated Maintenance program and thus the BOSC is best suited and resourced for this work.

- c. UNFORSEEN SECURITY REQUIREMENTS REQUIRING A \$220,909 INCREASE TO IDIQ CAPACITY.

Situation: A \$220,909 task order (#1011) was awarded for armed security guards in support of Regional Energy Program Office project.

Impact:

The REPO project did not account for Kings Bay security constraints during the project award. The BOSC is Kings Bay's security contractor and already possesses all clearances and resources to perform the task. In order to begin the REPO project, access was necessary for Georgia Power and its contractors. That access required guard services be provided.

4. Statutory Authority Permitting Other Than Full and Open Competition. This acquisition will be negotiated pursuant to 10 USC 2304(c)(1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, as implemented by Federal Acquisitions Regulation (FAR) 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority. The current BOS contract, N69450-11-D-7578, was competed on an unrestricted basis under full and open competition. It was awarded with the assumption the estimated quantities included in the IDIQ Exhibit Line Item Numbers (ELINs) would be sufficient based on workload projections and historical data at the time of contract award. In accordance with FAR 6.302-1(iii) (A), this represents substantial duplication of costs to the government that is not expected to be recovered through competition, and it would lead to (B) unacceptable delays in fulfilling the agencies requirements. The administrative effort it will take to award a new contract is not cost effective and cannot be completed timely which impacts our ability to meet mission essential requirements. The estimated cost of the reprocurement is \$350,000.

The life of facilities and equipment on base has aged substantially and are requiring replacement. Repairs typically exceed the limit of liability under the FFP portion thus making it necessary to

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

issue IDIQ task orders to complete repairs and replacements. Finding another contractor with appropriate security clearances and the resources to begin work immediately is almost impossible due to the high level security requirements in certain areas of NSB Kings Bay. Security requirements are much more stringent to gain access to the base and various tenant commands. Due to the multiple levels of clearance required, contractors are subjected to lengthy security background investigations and cumbersome administrative effort. Historically, employees of contractors have had issues gaining access which adds another level of delay in completing work. The current BOS contractor has already been vetted through the security process and have the required clearances needed to perform work throughout the entire base.

It is not in the best interest of the Government to use a contractor besides the KBOS I contractor.

It is critical to NSB Kings Bay's mission that the above identified work be completed and increased capacity be granted. All required BOS services to be performed under the authority requested by this J&A are critical requirements which the Navy needs in order to continue its mission. The KBOS I contractor is responsible for the FFP work; however, when the limit of liability (LOL) is exceeded, this action then becomes a task order issued under the IDIQ portion of the contract and the contractor can perform the services above the contract FFP LOL without interruption. Additionally, KBSS possesses the manpower to continue performance without a break in service, or additional phase-in/mobilization requirements.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable. The proposed action will be synopsized on the Government-wide Point of Entry (GPE) as a sole source modification to contract N69450-11-D-7578, Kings Bay Support Services, LLC, upon approval of this Justification and Approval for reasons discussed in paragraph 5 above. Solicitation of the contract was issued under full and open competition. Source Selection was completed in accordance with FAR requirements and a single award was made. Adequate competition was received in the solicitation phase; therefore, the government is satisfied with the effort made to solicit offers from as many as practicable.

In accordance with FAR 6.302-1(iii), competition of this requirement would lead to (A) substantial duplication of costs to the government that is not expected to be recovered through competition and (B) unacceptable delays in fulfilling the agencies requirements. Due to the mission at NSB Kings Bay, the security requirements are much more stringent to gain access to the base and various tenant commands. Multiple levels of clearance required subject contractors to lengthy security background investigations and cumbersome administrative effort. Additionally, employees of contractors have had issues gaining access which adds another level of delay in completing work. The current KBOS I contractor has already been vetted through the security process and has the required clearances needed to perform work throughout the entire base. Inventory of historical data was provided during the award process; however, after award, the data was determined to be incomplete. Updated data, which includes existing

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

facilities as well as new construction, provides a more accurate picture of inventory on board NSB Kings Bay which should be included in the BOS contract.

7. Determination of Fair and Reasonable Cost. Each proposed IDIQ action arising from the increase in IDIQ capacity will be priced separately and Government technical evaluations will be completed with comparison to Independent Government Estimates or historical data as appropriate. As a result, the Contracting Officer has determined the anticipated cost to the Government of the services covered by this J&A will be fair and reasonable.

8. Actions to Remove Barriers to Future Competition. The proposed contract modification represents an action in response to critical requirements for the continued mission on board NSB Kings Bay. Exercise of the follow-on competitively negotiated and awarded option will meet the needs for future requirements. IDIQ capacity has been increased in the reprocurement.

9. CONTRACTING POINT OF CONTACT. The point of contact at NAVFAC SE, PWD Kings Bay, GA is John Peters, Contracting Officer, 912-573-4610, or email john.peters2@navy.mil.