

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

1. Contracting Activity and Requiring Activity

The agency is the Department of the Navy. The contracting activity is Naval Facilities Engineering Command Southeast (NAVFAC SE). The contracting office is Public Works Department, Facilities Engineering and Acquisition Division (FEAD), U. S. Naval Station Jacksonville, Florida. The requiring activity is Fleet Readiness Center Southeast (FRCSE), U.S. Naval Station Jacksonville, Florida.

2. Nature/Description of Action

This project is to replace and upgrade the process waste water treatment equipment which is part of the overall treatment systems at the Fleet Readiness Center, Southeast (FRCSE) located at the Naval Air Station, Jacksonville, Florida, 32212-0016. The current system has exceeded its design and useful life. The new Industrial Waste Water Treatment (IWWT) Systems to replace the existing will be used to treat aircraft and component, cleaning, plating and conversion coating rinse tank water and concentrated waste water from rinsing of equipment. In order to replace the systems, equipment had to be selected and installed by the contractor which consists of brand names from one manufacturer in accordance with FAR 6.302.1.

FEAD Jacksonville proposes to solicit a contract for installation of waste water treatment equipment. With the aging of the existing treatment plant equipment and expensive treatment there is a need to replace the treatment process with a more modern treatment process that is not dependent on excessive labor and costly treatment chemicals. The development of a new treatment process has included bench scale testing and fostering the ion exchange (IEX) treatment process. In order to prevent failure of the existing systems and hazardous waste being discharged from building 780 (TP2) and building 799 (TP3) this project will mitigate the immediate need for a total replacement of all the required waste water treatment process equipment. The current Fenton Reaction system is 19 years old and requires the addition of expensive chemicals (hydrogen peroxide(H₂O₂) and ferrous sulfate(Fe₂SO₄). In order to accomplish the project, requirements were developed for the IEX treatment process. The components for the process had to be chosen in advance and are the most cost effective and the only technically acceptable choice to implement the IEX. Currently, the IEX supplier has a contract providing treatment and it will be expanded as part of the planned treatment method. FRCSE manages the contract that provides the IEX treatment process currently in service (N68836-14-P-0800) with Evoqua.

The estimated dollar value of the project is [REDACTED]. The equipment value for this sole source action is [REDACTED]. The project will be funded by Navy Working Capital Funds (NWCF). This solicitation will be issued as an 8a sole source action, resulting in a firm fixed price construction contract.

The brand name products are:

Equipment Description	Cost
Evoqua Aquasaver pH Control Skid (See attachment 1)	[REDACTED]
Evoqua Aquasaver w/o pH Control Skid (See attachment 2)	[REDACTED]
Total Value	[REDACTED]

3. Description of the Action Service Required

Currently, the aging IWWT is not providing the required level of treatment for the waste water being transferred to the NAS Waste Water Treatment Plant. The concentrations of contaminants routinely exceed the allowed levels of permitting. The plant requires constant repair and requires manual operation to treat the waste from FRCSE processes. The replacement of equipment in the plant is being planned and coordinated so that it does not disrupt process operations and maintains the use of the treatment. This requires several contracts to accomplish the process. The new contract is a significant step to updating the aging plant, equipment and process. The equipment required under this contract includes the Continuous Precipitation System (CPS), the Pump Control Skid with pH control, and the Pump Control Skid without pH control. This equipment is manufactured by Evoqua. Utilizing a single vendor for this equipment has the advantage of interfacing matching equipment together, facilitating more efficient control of the treatment process at start-up. Start-up support is important to ensure the system operates as a system and would not require separate integration.

4. Statutory Authority Permitting Other Than Full and Open Competition

The statutory authority authorizing other than full and open competition for only one responsible source and no other supplies or services that will satisfy agency requirements is 10 U.S.C. 2304(c)(1) as specified in FAR 6.302-1.

5. Rationale Justifying Use of Cited Statutory Authority

The planned (CPS) for the phase I repair project is the Evoqua hexa-valent chrome removal system. The Evoqua system has a budgetary price quote lower than the comparable Wastech hexa-valent chrome removal system. The cost savings for this single piece of equipment is [REDACTED]. This establishes a basis to utilize Evoqua for the CPS and is a major component for the Phase I scope. Selection of the Evoqua for this component includes start-up and testing which is integral to completion of the Phase I scope. Additional rationale is listed below to utilize Evoqua instead of having major components from several different manufacturers.

First, the selection of Wastech vice Evoqua would result in additional start-up and testing of the separate manufacturer's system and does not have the key advantage of a single manufacturer's integrated start-up and testing.

Second, market research to find similar off the shelf selections of the two equipment skids resulted in none found. A custom equipment manufacturer could fabricate the skid with components but would need all of the specifications to do so. A Rough Order of Magnitude (ROM) was estimated with the known components of the equipment and it exceeds the prices provided by Evoqua for the skids. This expense is estimated at [REDACTED] for the individual components and [REDACTED] in labor before mark-ups and profit are added for the completed equipment skids.

Evoqua's expertise and knowledge of the process systems is essential in providing a reliable and warrantable system for the Navy. Award to any other source would result in substantial duplication of cost to the Government that would not be recovered through competition; additionally, it would cause unacceptable delays in fulfilling the agency's requirements. Any additional delays that results in the failure of the current system and completion of the new processing system would require in excess of 100,000 gallons per month to be trucked offsite for treatment to a level that would allow discharge to the site sanitary system. The ROM for handling/transfer/storage of the waste offsite would be [REDACTED]. Additional implications include the risk of losing the permit under RCRA rules.

This is the only technically acceptable solution for the Phase I scope. This action limits the liability or risk that the installation will not work as the components are compatible and integrate holistically from an overall system standpoint.

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

Upon approval of this J&A, the proposed action will be synopsisized on the Government-wide Point of Entry (GPE) as required by FAR 5.201. No additional market research was conducted because it is not practicable, for the reasons discussed in paragraph 5 above, for any company other than Evoqua to provide the equipment to the (contractor) to satisfy the

requirements of the contract.

7. Determination of Fair and Reasonable Cost

The Contracting Officer has determined the anticipated cost to the Government for the design and construction covered by this J&A will be fair and reasonable.

8. Actions to Remove Barriers to Future Competition

There are currently no additional actions required to remove barriers to future competition. For the reasons set forth in Paragraph 5, FEAD, Naval Station Jacksonville has no plans at this time to compete future contracts for the types of services/construction covered by this document. If another potential source emerges, FEAD, Naval Station Jacksonville will assess whether competition for future requirements is feasible.

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.