DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND, MID-ATLANTIC
9324 VIRGINIA AVENUE
NORFOLK VIRGINIA 23511-3095

J&A No. ML-26-13
CON/332

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

1. Contracting Activity.

The contracting activity is Naval Facilities Engineering Systems Command, Mid-Atlantic (NAVFAC MIDLANT)

2. Description of the Action Being Approved.

This Justification and Approval (J&A) authorizes the use of brand name specifications for one (1) King Fisher Fire Alarm Radio Transmitter manufactured by Kingfisher Company, Inc. in solicitation N4008526R0004, Design-Bid-Build P1102 Weapons Magazine & Ordnance Operations Facility, Naval Submarine Base, New London, Connecticut.

3. Description of Supplies/Services.

The intent of solicitation N4008526R0004 Design-Bid-Build P1102 Weapons Magazine & Ordnance Operations Facility, Naval Submarine Base, New London, Connecticut is to construct six (6) Containerized Long Weapons Storage (CLWS), two (2) Box C, and one (1) Box D earth-covered, high-explosive magazines including overhead cranes, and incidental related work. Work also includes construction of new Ordnance Operations building, Truck Inspection, Sentry building, and demolition of 18 existing magazines, Bldg. 524, and Bldg. 393.

The solicitation will include brand name specifications for King Fisher Fire Alarm Radio Transmitter manufactured by Kingfisher Company, Inc.

This acquisition will solicit proposals as an unrestricted full and open, stand-alone construction solicitation as authorized by the approved DD2579 on 21 November 2025. The estimated value of the work included in the construction solicitation is approximately [redacted] of which [redacted] is estimated for the Fire Alarm Radio Transmitter. The project will be funded by FY24, FY26, and FY27 Military Construction, Navy (MCON) funds for construction. The work under this contract is required to be completed within 1587 after contract award.

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

The statutory authority for this acquisition permitting other than full and open competition is 10 U.S.C. 3204(a)(1) which permits the use of only one source when it is essential to the Government's requirements, as implemented by Revolutionary Federal Acquisition Regulation Overall (RFO) 6.103-1, Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority.

This projects scope requires inclusion of a brand name due to the fire alarm radio transmitters being critical, necessary components to support fire-fighting capabilities in the various buildings throughout the base. Fire alarm radio transmitters are necessary life safety equipment used to provide and respond to fire alarms, and to troubleshoot and to facilitate other work being done on the systems or their downstream

devices and components. They require routine preventative maintenance to ensure proper function. Preventative maintenance often includes replacing parts and required routine testing. A uniform, compatible, installation-wide fire protection system based on the same manufacturer's line of products promotes overall system readiness by allowing the customer to reduce their service contracts to one company, and to stock replaceable parts and develop skills and expertise in the work involved in maintenance of the system. Multiple maintenance contracts for different fire alarm systems would be costly. Additionally, it would be infeasible to maintain an on-the-shelf parts supply for multiple manufacturer's devices. Each manufacturer of fire alarm systems produces unique assemblies of various components and devices. These devices are not cross compatible from manufacturer to manufacturer and contractors authorized to service one manufacturer's brand cannot get approval to service another brand, resulting in a situation where the Government has to maintain multiple service contracts for specific fire alarm radio transmitter brands or costly sub-contracts for general maintenance and service. There are no other transmitters on the market that will communicate with the King Fisher fire alarm system that is currently being used on base.

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

A sources sought notice was published on Sam.gov on 1 October 2025 detailing the requirements for the Kingfisher Company Fire Alarm Radio Transmitter. The notice sought commercially available products that could meet the same requirements. The response date was 8 October 2025, and no responses were received.

A solicitation notice will be publicized on SAM.gov, in accordance with the requirements of RFO Part 5. The approved J&A will also be made publicly available as required by RFO 6.301.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine if the price for this acquisition is fair and reasonable in accordance with RFO Part 15 prior to contract award. Analysis will be performed by one or more of the following techniques: (1) Comparison of proposed prices received in response to the RFP; (2) Comparison of proposed prices with the Independent Government Cost Estimate (IGCE); (3) Comparison of proposed prices with available historical information; and/or (4) Comparison of market survey results. The fair and reasonable determination will be made based on the total price of the project. This proprietary item is not an individual line-item price in the solicitation.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, NAVFAC Mid-Atlantic has no plans at this time to compete future contracts for the types of supplies/services covered by this document. If another potential source emerges, NAVFAC Mid-Atlantic 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.

[redacted]

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[redacted]

CONTRACTING OFFICER CERTIFICATION

I certify that this Justification is accurate and complete to the best of my knowledge and belief.

[redacted]

APPROVING OFFICIAL – CHIEF OF THE CONTRACTING OFFICE

Upon the basis of the above Justification, I hereby approve the use of the brand name item in the subject solicitation described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 3204(a)(1).

[redacted]