DEPARTMENT OF THE NAVY
MID-ATLANTIC REGIONAL MAINTENANCE CENTER
CONTRACTS DEPARTMENT
9727 AVIONICS LOOP
NORFOLK VA 23705-0215

Number: N50054-26-100
CODE: 426.2
P.R.: N5005426PR00160

JUSTIFICATION AND APPROVAL FOR USE OF EXCEPTION TO FAIR OPPORTUNITY

JUSTIFICATION

1. CONTRACTING ACTIVITY

The contracting activity is the Mid-Atlantic Regional Maintenance Center (MARMC), United States Navy (USN), Norfolk, Virginia, field activity of the Naval Sea System Command (NAVSEA), Washington, DC.

2. DESCRIPTION OF ACTION BEING APPROVED

This justification provides the supporting rationale for the determination to include additional work under the Firm Fixed Priced (FFP) Delivery Order (Order No. N5005426FL018) awarded to Colonna's on a non-competitive basis in order to fulfill the requirements associated with the USS SAN ANTONIO (LPD-17), Emergent Maintenance Availability (EMAV), SSP TPPC-LPD17-MARMC26-E001.

3. DESCRIPTION OF SUPPLIES/SERVICES

The additional work required for the USS SAN ANTONIO (LPD-17) includes critical support identified in the following Request for Contract Changes (RCC) RCC 7N Work Item 625-11-001, Modification of specification item: Helo control station window and wiper motor replacement; accomplish. The repairs will be accomplished utilizing FY26 Operation and Maintenance, Navy (OM&N) funds in the estimated amount of [redacted] The Government's minimum needs have been verified by the certifying technical and requirements personnel. The technical and requirements certifying personnel have verified the Government's minimum needs. This work is considered hot items [redacted].

4. STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

The statutory authority for this procurement is FAR 16.505(b)(2)(i)(A). The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays.

5. RATIONALE JUSTIFYING USE OF CITED STATUTORY AUTHORITY

IAW FAR 16.505(b)(2)(i)(A) this procurement must be issued on a non-competitive basis due to the urgency of the required support which is under the same availability currently in execution and includes the same period of performance as the awarded delivery order period of performance. This additional work must be issued under a non-competitive basis because if the Government were to provide for fair opportunity, the entire schedule would be delayed by at least 30 days [redacted].

Colonna's will be tasked to perform the Helo control station window and wiper motor replacement. Although not discovered during initial work package development for the EMAV, this work is [redacted]. This creates a [redacted]. Estimated time of repair work is approximately [redacted]. Based on estimated start date and length of repairs, work item 625-11-001 is urgent and compelling to start at the earliest convenience. Work will consist of removing interferences to include paint, insulations, and motors as required to access structural members, supports and load bearing attachments to verify the safe and proper installation of armored window. Without this critical repair, the Ship can not [redacted].

To award this work to a contractor other than Colonna's would result in unacceptable and costly delays to the USS SAN ANTONIO (LPD-17). The work must be integrated with the existing work package, the actual start date and production duration will be determined by the LMA during work integration analysis in order to support Key Event Work Complete (WC) and avoid delays and disruption to testing other systems in the base work package. Failure to accomplish this work would be unacceptable and [redacted].

Colonna's has required equipment and is the only company able to meet the Government's immediate requirement to provide testing to the USS SAN ANTONIO (LPD-17) Helo control station window and wiper motor replacement for the USS SAN ANTONIO (LPD-17) to meet is fleet [redacted]. To Award this Colonna's provides the Government the appropriate avenue to accomplish this repair within the allotted Period of Performance. These repairs are essential for the [redacted]. Without the repairs scheduled for the EMAV, the Helo control station window and wiper motor replacement [redacted].

6. DETERMINATION OF FAIR AND REASONABLE COSTS

The Contracting Officer has determined that the anticipated cost to the Government for the supplies/services covered by the J&A will be fair and reasonable. The estimated cost of this work item is based upon historical data as well as the Independent Government Estimate (IGE) and the Project Manager's (PM) technical knowledge associated with the estimated man hours and material costs to complete this work. Additionally, the contractor's fully burdened ship repair labor rate and material burden rate were determined to be fair and reasonable at time of contract and delivery order award. The supported information provided should be sufficient to support the fair and reasonable cost determination of the procurement.

7. ACTIONS TO REMOVE BARRIERS TO COMPETITION

For reasons set forth in paragraph 5 and 6, market research was not conducted. The critical nature of the work requires that it is started immediately. Future acquisitions for similar work will be reviewed by the Contracting Officer on a case by case basis to promote the use of full and open competition in the acquisition process where possible under this multiple delivery-order contract, where possible and practicable in accordance with FAR Subpart 16.5. In addition, a copy of the change(s) covered by this justification will be forwarded to Code 200, Planning and Engineering, and Code 300 Waterfront Operations for consideration of similar work requirements in future solicitations.

CERTIFICATIONS AND APPROVAL

COMBINED TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 16.505(b)(2)(ii)(B)(9):

I certify that the facts and representations under my cognizance, which are included in this justification, are complete and accurate to the best of my knowledge and belief.

[redacted]

LEGAL SUFFICIENCY REVIEW (NMCARS 5206.303(90)):

I have determined this justification is legally sufficient.

[redacted]

COMBINED CONTRACTING OFFICER CERTIFICATION AND APPROVAL (FAR 16.505(b)(2)(ii)(C):

I certify that this justification is accurate and complete to the best of my knowledge and belief. Upon the basis of the above justification, I hereby approve, as Contracting Officer, the award of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of FAR 16.505(b)(2)(i)(A), the agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays.

HEARD.LAUREN.R. Digitally signed by

[redacted]