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

1. **Contracting Activity:** Department of the Navy, Military Sealift Command (MSC) Norfolk

2. **Description of the Action Being Approved:** Award modifications under contract N3220526C1221, for the Regular Overhaul of the USNS ROBERT E. PEARY (T-AKE 5), to Detyens Shipyards, Inc., incorporating work items needed to comply with regulatory requirements. The contract was awarded for $17,517,910.00 on the basis of adequate competition.

3. **Description of Supply Services:** To accomplish the work items detailed in the enclosure, which are needed to comply with regulatory requirements of the U.S. Navy, U.S. Coast Guard, and American Bureau of Shipping. The total estimated dollar value for all such work items is [redacted] which will be funded utilizing fiscal year 2026 Operations and Maintenance, Navy (O&M,N) funds. The authority to act under this Class J&A expires one year after the date on which it is approved by the Competition Advocate.

4. **Statutory Authority Permitting Other Than Full and Open Competition:** 10 U.S.C 3204(a)(2) Unusual and compelling urgency.

5. **Rationale Justifying Use of Cited Authority**

   a. The contracting activity competitively awarded the contract consisting of 176 work items on January 29, 2026, with a period of performance of April 1, 2026, through June 1, 2026. Revised period of performance is now May 18, 2026, through July 19, 2026.

   b. In preparation for inspection by the U.S. Coast Guard and American Bureau of Shipping, MSC became aware of deficiencies in the vessel which require repair to comply with Safety Management System objectives, attain Operational Availability, and maintain vessel configuration. These deficiencies must be fixed and approved by the regulatory authorities before the ship can depart at the end of the period of performance on July 19, 2026. Any delay in fixing these anticipated deficiencies will delay the requisite approval from the regulatory authorities, which will delay the vessel's mission readiness.

   c. Competitively soliciting these work items is not feasible as it would delay returning to a mission-ready posture since award of a procurement package of this magnitude will require a procurement action lead time of 381 days plus the time to accomplish repairs. The vessel's per diem rate is $193,993.00 per day, which is the estimated losses to the Government for each day of delay. Additionally, given the vessel's current status with interferences removed, staging installed, and equipment open for inspection, this is the most cost effective opportunity for maintenance and repairs.

6. **Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable**: The pre-solicitation notice was posted on the Government Point of Entry website (sam.gov) on August 20, 2025, and the award notice was posted on January 29, 2026. For reasons set forth in Paragraph 5, this particular requirement is not presently a candidate for full and open competition.

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 IAW FAR 15.404-1(b).

8. **Actions to Removed Barriers to Future Competition**: The Government expects to obtain a technical data package or develop a performance specification that will support competition for future acquisitions of the same or similar items.

CERTIFICATION AND APPROVALS

Technical/Requirements Cognizance:

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]