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 N3220526C1217, for the Mid Term Availability of the USNS KANAWHA (T-AO 196), to Alabama Shipyard Inc, incorporating work items needed to comply with regulatory requirements. The contract was awarded for $21,499,729 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 135 work items on 26 FEB 2026 with a period of performance of 05 AUG 2026 through 19 NOV 2026.

   b. To satisfy regulatory and safety requirements, ensure operational availability, mission readiness and maintain vessel configuration, corrective action is required to address deficiencies identified by the American Bureau of Shipping and the USNS KANAWHA Officers. These repairs must be completed before the vessel can be cleared for departure.

   c. Competitively soliciting for 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 $112,976.00 per day, which is the estimated losses to the Government for each day of delay.

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 24 July 2025 and the award notice was posted on 26 FEB 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.