J&A No. PL-2406

JUSTIFICATION FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity.

The Naval Sea Systems Command Portsmouth Naval Shipyard (PNSY) Contracting Division, Kittery, ME. The requirements activity is PNSY Code 900R, Production Resources.

2. Description of the Action Being Approved.

The Navy intends to issue an out-of-scope modification to existing Task Order N3904026F1008 under the existing Multiple Award Contract (MAC) Indefinite Delivery Indefinite Quantity (IDIQ). In accordance with the Revolutionary FAR Overhaul (RFO) Part 16, this action will be issued on a sole-source basis to Orbis Sibro Inc. (Cage Code: 1SEL4). This action procures new work, adding 10,515 additional touch labor hours to accommodate an unanticipated, essential increase in abrasive blasting requirements. This modification will increase the total contract value by $2,500,000.00. Please see below for the actual increases in hours and costs per labor category.

	Initial Value	Increase	Total OT Hours
Abrasive Blaster OT (1st Shift)	3,048.00	4572	7,620.00
Abrasive Blaster OT (2nd Shift)	3,048.00	4572	7,620.00
Abrasive Blaster Supervisor OT (1st Shift)	457.00	685.5	1,142.50
Abrasive Blaster Supervisor OT (2nd Shift)	457.00	685.5	1,142.50

3. Description of Supplies/Services.

This action will fund new work in the form of additional Abrasive Blaster Touch Labor Services. The initial Independent Government Estimate (IGE) for 30 blasters at 20% overtime was found to be insufficient to meet actual execution requirements on the waterfront. The requiring activity needs are more substantial, and the data now confirms that 50% overtime is the minimum baseline required to meet mission requirements without halting critical work; overtime must be increased by 10,515 hours. The modification is valued at $2,500,000.00, bringing the new total estimated contract value to $10,978,247.27. The current period of performance ends on August 28, 2026. This modification will be funded with Fiscal Year 2026 Operations & Maintenance, Navy (O&M,N) funds.

Estimated Dollar Value for this action

	FY26 Total
O&MN	$2,500,000.00

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

10 U.S.C. 3406(c) and FAR 16.507-6(b)(2) Class Deviation DARS Tracking Number: 2026-O0048, Revolutionary Federal Acquisition Regulation (FAR) Overhaul Part 16 - Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized.

5. Rationale Justifying Use of Cited Statutory Authority.

Pursuant to FAR 16.507-6(b)(2) DARS Tracking Number: 2026-O0048, Orbis Sibro Inc. is the only Multiple Award Contract (MAC) IDIQ awardee capable of fulfilling this highly specialized requirement at the level of quality required.

Original Competition: The original contract award (Task Order N3904026F1008), fair opportunity was provided among the four vendors holding the MAC IDIQ vehicle. Orbis Sibro Inc. was the sole respondent to that solicitation.

Furthermore, historical procurement data strongly indicates that Orbis Sibro Inc. is the only available responsible vendor in the marketplace. In addition to being the sole proposing vendor among the MAC IDIQ holders for the current task order, they were the only contractor to propose on the previous four (4) solicitations for these exact services, which covers a period of two years. Based on this established historical precedent, it is highly unlikely that a secondary vendor capable of performing this work even exists in the current market.

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

a. Market Research Conducted (FAR Part 10): The original requirement was competitively solicited among all four (4) MAC IDIQ holders. Orbis Sibro Inc. was the sole respondent.
b. Other Sources Expressing Interest: Fair opportunity was given. To date, no other sources have expressed interest in this requirement. The other three (3) MAC IDIQ holders did not submit proposals for the original task order and have not expressed interest in performing this work.
c. Notice of Content Regarding Sole Source Intent: In accordance with FAR 16 regulations a notice will be published to the Governmentwide Point of Entry (SAM.gov) within 14 days after placing this order, and this justification will be posted for a minimum of 30 days.

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 Justification and Approval will be fair and reasonable. Costs and the proportionate increase in fixed fee for this new work have been evaluated against the rates established in the base contract.

8. Actions to Remove Barriers to Future Competition.

The Government fully intends to compete any future follow-on task order for Abrasive Blaster Touch Labor Services among all eligible MAC IDIQ holders. To remove barriers to future competition, PNSY Code 410 will actively engage with the other three (3) MAC IDIQ holders to identify why they have historically failed to submit proposals or submitted technically unacceptable proposals. By conducting industry outreach and clarifying solicitation requirements, the Government aims to foster a more competitive environment for the next award cycle.

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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.

Technical Cognizance:

[redacted]

Signature Name Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[redacted]

Signature Name Phone No. Date

CONTRACTING OFFICER CERTIFICATION

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

[redacted]

Signature Name Phone No. Date

Chief of the Contracting Office / Advocate for Competition
APPROVAL

Upon the basis of the above justification, I hereby approve, as **Chief of the Contracting Office Advocate for Competition**, the release of the proposed procurement(s) described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. 3406(c)(2) only one such contractor is capable of providing the services or property required at the level of quality required because the services or property ordered are unique or highly specialized.

HALL.HEATHER.L[redacted] Digitally signed by HALL.HEATHER.LYNN[redacted] 07/17/26

Heather Hall, Competition Advocate Date