



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND, HAWAII
400 MARSHALL ROAD
JBP HH, HAWAII 96860-3139

IN REPLY REFER TO:
 J&A No. 21-05

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

1. Contracting Activity.

Naval Facilities Engineering Systems Command, Hawaii (NAVFAC HI), JBP HH, Hawaii.

2. Description of the Action Being Approved.

a. Contract No. N62478-18-D-2466 FIRE PROTECTION SYSTEM MAINTENANCE AND REPAIR SERVICES, OAHU, HAWAII was awarded to Media Plumbing & Heating Inc., DBA Kinetix, as a competitively awarded procurement, on 1 June 2018. The contract is to provide maintenance and repair on fire protection systems by means of a combination firm-fixed price (FFP) and indefinite delivery-indefinite quantity (IDIQ) contract. The contract consists of a 12-month base period and four one-year option periods. The contract is currently in the second option period, which is from 1 July 2020 to 30 June 2021.

b. This action is to increase the non-recurring not-to-exceed amount as follows:

	Increase Amount	From:	To:
CLIN 0006 Option 2	\$615,000.00	\$158,800.00	\$773,800.00

This action will increase the cumulative contract price by \$615,000.00 or approximately 10.3% from \$5,980,700.00 to \$6,595,700.00.

3. Description of Supplies/Services

During the current performance period, the Red Hill Fire Protection Systems have experienced unexpected operational failure. The current fire protection systems service provider, Kinetix, must perform repairs and the NAVFAC Inspector must inspect the fire protection systems before they can be returned to fully operable condition. The current IDIQ capacity is insufficient to complete the following required repairs/maintenance on the fire protection systems and return them to full operable condition.

- a) Inspect fire protection system piping inspection between Pump House Bldg.313 and ADIT 6
- b) Repairs to address the portion of the system mentioned in item a) above
- c) Repair work on both fire pumps and the jockey pump controller located in the Upper Pump House, ADIT 6
- d) Flushing and installation of drain pipe at Red Hill Tunnel, ADIT 1 (from Riser 5 to a safe area near ADIT 1 entrance)
- e) Replacement of valves and activate the fire pump located in B.1721
- f) Other various repairs to Red Hill Fire Protection Systems.

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

The statutory authority permitting other than full and open competition is 10 U.S.C. Section 2304(c)(1), as implemented by FAR 6.302-1. FAR 6.302-1 permits contracting without providing for full and open competition in situations where services are deemed to be available only from the original source for the continued provision of highly specialized services where it is likely that award to any other source would result in 1) substantial duplication of cost not expected to be recovered through competition, or 2) unacceptable delays in fulfilling the agency's requirements. In addition, 10 U.S.C. Section 2304(c)(2), as implemented by FAR 6.302-2, permits contracting without providing for full and open competition in situations where 1) an unusual and compelling urgency precluded full and open competition, and 2) delay in award of a contract would result in serious injury, financial or other, to the Government.

5. Rationale Justifying Use of Cited Authority

a. The fire protection system at Red Hill is absolutely critical to protect the Department of Defenses' largest fuel facility in the event of a fire. The Red Hill Fuel Facility has a maximum capacity of 250 million gallons. Operating this fuel facility without a reliable fire protection system is not an acceptable course of action.

b. Currently, there are two fire protection systems in the Red Hill Tunnel. The first system was installed in the mid to late '80s (1985-1989) as the fire protection system for ADIT 1. Some of the components of that system, which are located in Fire Pump House Bldg. 1721, include a Jockey Pump, an Electric Fire Pump (primary) and a Diesel Fire Pump (backup). Other components of that system, which are located in Pump House Bldg. 1613, include a primary suppression agent electric pump, a backup suppression agent diesel pump, and a 1,600-gallon storage tank. Unfortunately, there were two incidents relative to that system as follows:

- i. In December 2019, there was a failure in the Jockey Pump controller causing the Fire Pump to run continuously, which over-pressurized the system piping. This was partially repaired by replacing the defective Jockey Pump controller. However, the residual solution in the system piping was never flushed and the concentrate in the storage tank was never refilled. The system was partially restored to operable condition, meaning that if a fire were to occur in the facility, only water would come out of the fire protection system piping.
- ii. In September 2020, the system was activated via an alarm signal triggered by Ultra Violet/Infrared (UV-IR) flame detectors in the upper level of Underground Pump House (UGPH). That alarm activation released the residual solution (that was still in the system piping from the December 2019 incident). Currently, the system is partially operable; if a fire were to occur in the facility, only water will be used to extinguish a fuel fire. Unfortunately, pure water is not as effective in suppressing fuel fires.

Remnants of solution is still present in a portion of the system piping in ADIT 1. Due to the highly corrosive nature, the system needs to be flushed to avoid corrosion in the system piping, fittings, and components. Installation of drain piping at ADIT 1 is also needed for ease of future system testing and maintenance.

c. The second fire protection system was installed in 2017 as the fire protection system for ADIT 6. That system has two Jockey Pumps, two Electric Fire Pumps, two Electric Concentrate Pumps, a

1,600 gallons storage tank, and a Diesel Generator – all are in Pump House Bldg. 313, which is located a few hundred feet away from ADIT 6 entrance. It is suspected that a portion of the system piping between Pump House Bldg. 313 and ADIT 6 entrance requires repair. If a fire were to occur in the facility, only water will be used to extinguish a fuel fire. It is imperative to perform a thorough inspection of the system piping between Pump House Bldg. 313 and ADIT 6 entrance to determine the exact location of where the leak is coming from, properly address it, and restore the fire protection system to fully operable condition.

In accordance with the UFC 3-600-01 (Fire Protection Engineering for Facilities), Change 5, 12 August 2020, section 9-9, “Discharged solution must be contained and collected. Foam solution discharge for maintenance and testing purposes must be in accordance with local Installation environmental requirements.”

Further delay in restoring back the fire protection systems, in ADIT 1 and ADIT 6, to full operable condition is not acceptable. If fire occur in any of those facilities while the fire protection system is at its current condition, the damage to the Red Hill Tunnel will be catastrophic and the USINDOPACOM mission readiness will be negatively impacted.

There is a current contract for fire protection systems maintenance and services for the Red Hill Tunnel. The contract provides a vehicle to perform the required repairs in a timely manner. The Contractor is fully mobilized and thus far has performed satisfactorily. In addition, the Contractor is thoroughly familiar with the fire protection systems, knows the locations of major system components, understands all contract requirements, and will provide continuity of services at a reasonable cost to the Government. Additional capacity is required to reduce/avoid the following negative impacts resulting from not having a fully operable fire suppression systems in ADIT 1 and ADIT 6:

- (1) Reduced government business efficiency.
- (2) Inability to meet mission objectives.
- (3) Possible increase in safety and health risks (i.e. fire hazards).

It would be impractical to solicit bids/proposals to conduct the required system repairs, as it will require more time and effort to conduct multiple site visits with potential bidders at various locations in the Tunnel, thus delaying the fire protection systems to be restored back to full operable condition. In addition, work by a separate contractor may pose a liability issue.

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

For the reasons stated in Paragraph 5, no effort was made to solicit offers from other sources. The requirements fall within the scope of work. It would not be in the best interest of the Government and taxpayers to resolicit for services already covered in the current contract.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer has determined the anticipated cost to the Government of the services covered by this J&A will be fair and reasonable based on historical costs.

8. Action to Remove Barriers to Future Competition.

None. The current recurring/non-recurring fire protection contract will expire on 30 June 2023.

CERTIFICATIONS AND APPROVALS

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 Signature] _____
Signature Name (Printed) Phone No. Date

LEGAL SUFFICIENCY REVIEW

I have determined this Justification is legally sufficient.

[Redacted Signature] _____
Signature Name (Printed) 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] _____
Signature Name (Printed) Phone No. Date

APPROVING OFFICIAL (NFAS 6.304)

Upon the basis of the above justification, I hereby approve, as warranted contracting officer acting within the limits of my delegated authority, the solicitation of the proposed procurement described herein using other than full and open competition, pursuant to the authority of 10 U.S.C. Section 2304(c)(1) and 10 U.S.C. Section 2304(c)(2).

[Redacted Signature] _____
Signature Name (Printed) Phone No. Date 3/18/2021