DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND, MID-ATLANTIC
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J&A No. ML-26-58
CON/475

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

1. Contracting Activity.

The contracting activity is Naval Facilities Engineering Systems Command, Mid-Atlantic (NAVFAC MIDLANT).

2. Description of the Action Being Approved.

This Justification and Approval (J&A) authorizes the use of brand name specifications for an AIRVAC911 Engine Exhaust Removal System from manufacturer Air Vacuum Corporation in solicitation N4008526R0020, Design-Bid-Build (DBB) P171 Weapons Magazines, Naval Weapons Station Yorktown, Yorktown, Virginia.

3. Description of Supplies/Services.

The intent of solicitation N4008526R0020, Design-Bid-Build (DBB) P171 Weapons Magazines, Naval Weapons Station Yorktown, Yorktown, Virginia is to construct five (5) Containerized Long Weapons Storage Two Bay (CLWS 2B) High Explosive magazines, two segregation facilities, and one forklift charging station to support Naval Munitions Command Atlantic. Magazine construction will consist of reinforced concrete mat foundations, walls, floors, entrance and loading aprons. Segregation facilities will be constructed of pile foundations, reinforced concrete walls, floors, roof, entrance and loading aprons. Facility-related control systems include cybersecurity features.

The solicitation includes the requirements for a AIRVAC911 Engine Exhaust Removal System. The solicitation will include brand name specifications for a AIRVAC911 Engine Exhaust Removal System from manufacturer Air Vacuum Corporation.

This acquisition will solicit proposals as an unrestricted full and open, stand-alone construction solicitation as authorized by the approved DD2579 on 13 January 2026. The estimated value of the work included in the construction solicitation is approximately [redacted], of which [redacted] is estimated for the Engine Exhaust Removal System. The project will be funded by FY24, FY26, and FY27 Military Construction, Navy (MCON) funds for construction. The work under this contract is required to be completed within 1287 calendar days after contract award.

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

The statutory authority for this acquisition permitting other than full and open competition is 10 U.S.C. 3204(a)(1) which permits the use of limited suppliers when it is essential to the Government's requirements, as implemented by Federal Acquisition Regulation (FAR) 6.103-1 (DEVIATION 2026-O0017), Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority.

The project scope requires an AIRVAC911 Engine Exhaust Removal System that is a fully automated, self-contained, hose less system used to remove engine exhaust from indoor parking areas of public safety buildings. The AIRVAC 911 system meets NFPA 1500, OSHA, IBOCA, EPA and GSA standards. The scope of the project requires the use of AIRVAC 911 due to the specific explosives safety and

ventilation requirements that do not require penetrations for weapons magazine buildings. This system is the only product to meet the System Owners requirements of no penetrations or hoses for an engine exhaust removal system.

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

A sources sought notice was published on Sam.gov on 10 February 2026 detailing the requirements for the Engine Exhaust Removal System. The notice sought commercially available products that could meet the same requirements. The response date was 25 February 2026, and no responses were received. A solicitation notice will be publicized on SAM.gov, in accordance with the requirements of FAR Part 5 (DEVIATION 2026-O0003). The approved J&A will also be made publicly available as required by FAR 6.301 (DEVIATION 2026-O0017).

7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine if the price for this acquisition is fair and reasonable in accordance with FAR Part 15 (DEVIATION 2026-O0017) prior to contract award. Analysis will be performed by one or more of the following techniques: (1) Comparison of proposed prices received in response to the RFP; (2) Comparison of proposed prices with the Independent Government Cost Estimate (IGCE); (3) Comparison of proposed prices with available historical information; and/or (4) Comparison of market survey results. The fair and reasonable determination will be made based on the total price of the project. This proprietary item is not an individual line-item price in the solicitation.

8. Actions to Remove Barriers to Future Competition.

For the reasons set forth in Paragraph 5, NAVFAC Mid-Atlantic has no plans at this time to compete future contracts for the types of supplies/services covered by this document. If another potential source emerges, NAVFAC Mid-Atlantic will assess whether competition for future requirements is feasible.

CERTIFICATIONS AND APPROVAL

[redacted]