



**DEPARTMENT OF THE NAVY**  
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND, MID-ATLANTIC  
9324 VIRGINIA AVENUE  
NORFOLK, VIRGINIA 23511-3095

J&A No. ML-23-47

**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 ML). The contracting office is Public Works Department Portsmouth located at Norfolk Naval Shipyard in Portsmouth, VA.

**2. Description of the Action Being Approved.**

NAVFAC ML proposes to award a sole source contract to JC Driskill Inc (Driskill) for electrical cable replacement at Norfolk Naval Shipyard, Portsmouth, Virginia.

**3. Description of Supplies/Services.**

The scope of work for the electrical cable replacement includes the following two requirements: 1) "Medium Voltage Electrical Cable Replacement on the North End of NNSY"; this task replaces circuits E3 to F1, R1 to B2, R2 to C2, and XFMR A to B9, and 2) "Maintenance and Replacement of Electrical Utility Cables at NNSY"; this task replaces circuits C3 to E7, A10 to E2, N4 to A19, and A21. The sole source contract will include all labor, supervision, management, materials, supplies, equipment, tools, and other items necessary to execute the above scopes of work. The estimated construction cost of the above requirements is \$ [REDACTED]. This will be a firm fixed price contract award funded with FY23 Operations & Maintenance, Navy (OM&N) funds.

**4. Legal Authorities.**

Contracting without providing full and open competition under this acquisition may be accomplished pursuant to authority of 10 U.S.C. 2304(c)(2) of the Federal Acquisition Regulation 6.302(a)(2), where the agency's need for services is of such an unusual or compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals and waive synopsis requirement pursuant to FAR 5.202(a)(2)

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

Norfolk Naval Shipyard (NNSY) has a looped network electrical distribution system that is currently in a severely degraded state. The cables on the circuits are 40 years of age, manufactured with inferior 1980's cross-linked polyethylene technology, and have passed reliable useful life threatening loss of power to nuclear submarines in dry docks. At present time there are two CNO availabilities in dock, the USS TOLEDO and the USS JOHN WARNER that

depend on installation shore power for electrical support, in addition to the USS HARRY S TRUMAN, the USS MCKEE, and the MTS SAMUEL RAYBURN that are undergoing maintenance at NNSY.

As of 03 March 2023 seven loop feeders need replacement at NNSY. Four already failed and are currently out of service, one of which is under contract. All of the mentioned circuits were Very Low Frequency (VLF) tested in the past and are in a severely degraded state. These circuits are a part of the 11.5kv electrical utility backbone system.

As a result of the failed cables, four numbered Distribution Stations have a single point of redundancy. They service major production facilities (bldg. 510, 171, 202, 163, 234, 298) Navy Gateways Inn & Suites, Unaccompanied Housing, the fitness center, all of Scott Center Annex, engineering buildings to include the Public Works Trailers, Acquisition Offices, Navy Crane Center, SURFMEPP, security and other administrative buildings and warehouses.

Additionally, repairs to Distribution Station A from the NNSY widespread power outage on 07 June 2022 are ongoing and will not be complete until June 2023. Melting Current Transformers (CT) were identified as a contributing factor during the incident's root cause analysis. The long term corrective action is to determine if there are any more CTs in the electrical system that may have these issues with the liquefied epoxy. During these inspections, melted CTs were discovered at Distribution Station IV. Distribution Stations D and C are also suspected to have the same type of CTs and need to be checked and replaced, however this cannot be accomplished until more redundancies are restored, thus all pending outages to address these have been suspended. The lettered distribution stations transform the voltage for use from Dominion Energy's Gosport Substation from 34.5kV to 11.5kV for use at the numbered Distribution Stations. A loss of use of any of the lettered distribution stations negatively impacts redundancy, and with Distribution Station A already out of service, the threat of melted CTs at Distribution Station C and D need to be addressed immediately before the Shipyard experiences a long term power outage to facilities and ships.

Furthermore, on 11 March 2023, NNSY experienced an additional significant power outage due to failed cable on circuit A21. This failed circuit was part of the root cause for power outage that resulted in power outages for loss of power to buildings 9, 23, 30, 31, 32, 174, 236, 1475, and 1764. The affected buildings include two radiological facilities (23 and 1475), NMCI (B31), base wide compressed air (B174), the Fire Department (B236), shore power for the John Warner, and the emergency firefighting pump station (B1764), as well as administrative spaces that support NNSY and other tenant staffs. Impacts to production for the John Warner caused production delays to the Chief of Naval Operations' number one priority for the Navy.

Seven (7) electrical 11.5kV loop feeders and one (1) feeder circuit are in dire need of replacement at NNSY. The seven (7) loop feeders are circuits E3 to F1, R1 to B2, R2 to C2, Transformer A to B9, C3 to E7, A10 to E2, and N4 to A19. The one (1) feeder circuit is circuit A21. Four of the eight (8) circuits have failed already and are currently out of service. Seven circuits were VLF tested in the past and are in a degraded state. These circuits are a part of the 11.5kv electrical utility backbone system. The project will involve dewatering multiple manholes, determining the best cable routing, removing all existing circuits listed above in their

entirety, installing new 15kV class MV-105 electrical cable; installing splices, fire tape, grounding, cable tags, cable racks, re-terminating and testing of the circuits as required. Circuit E3 to F1 is 2100ft, R1 to B2 is 1660ft, R2 to C2 is 2850ft, Transformer A to B9 is 75ft, C3 to E7 is 1900ft, A10 to E2 is 800ft, N4 to A19 is 3950ft long, and feeder circuit A21 is 5,000ft.

Two projects will address the loop feeders and feeder circuit based on location, scope of work, and constructability to minimize impact to operations at the shipyard.

Project one (1) will be “Medium Voltage Electrical Cable Replacement on the North End of NNSY”. This project replaces circuits E3 to F1, R1 to B2, R2 to C2 and Transformer A to B9.

Project two (2) will be “Maintenance and Replacement of Electrical Utility Cables at NNSY”. This project replaces circuits C3 to E7, A10 to E2, N4 to A19, and A21.

Failing to perform the referenced repairs to the electric distribution system will perpetuate the on-going degradation of the electrical system and, due to the degraded state of the existing infrastructure, will risk large scale outages in the near future. Four loop feeders have already failed completely and if an additional circuit fails it has a high potential to result in a work stoppage for the effected facilities as no backup circuit will exist. NAVFAC ML conducted a nodal analysis of the NNSY electrical grid in 2014 and that study predicted that the grid would see significant equipment failures in years 2021-24. Recent history has demonstrated that such failures are occurring and the incidence of these failures has been increasing over time.

Unscheduled electric power outages, brownouts, and related equipment failures cause periods of work task stoppage with a negative impact on Fleet readiness. Issues with the electric distribution system increases submarine dry-docking durations, thereby decreasing the operational availabilities of these strategic assets. Future failures of the system could lead to significant delays in any submarine overhauls underway at the time of the failure due to current lack of system redundancies. In addition, the shipyard loses \$1M a day in lost productivity during electric utility outages, particularly if production facilities are affected which currently have zero redundancy.

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

Due to the unusual and compelling urgency to complete the cable replacements for critical operations on the Norfolk Naval Shipyard, the Navy has selected JC Driskill Inc to perform the work. Driskill is the only contractor in the region with the detailed knowledge of the underground electrical cable infrastructure on the Norfolk Naval Shipyard required to complete the projects in a timely manner. Driskill’s previous performance at the shipyard has demonstrated that it has unique working knowledge and expertise to expeditiously complete challenging repairs for the critical shipyard electrical infrastructure. Driskill has premier cable splicing experts with 40+ years of experience and repeatedly provided excellent performance over the last 20 years. The approved J&A will also be made publicly available as required by FAR 6.305.

#### 7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine the forthcoming proposed cost to the Government of the services covered by this J&A to be fair and reasonable prior to award.

8. Actions to Remove Barriers to Future Competition.

Future requirements will be reviewed to determine suitable acquisition strategies while maximizing competition.

## **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 and Requirements Cognizance:

[Redacted Signature Area]

Signature

Name (Printed)

Phone No.

Date

### **LEGAL SUFFICIENCY REVIEW**

I have determined this Justification is legally sufficient.

[Redacted Signature Area]

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 Area]

Signature

Name (Printed)

Phone No.

Date

**ECHELON IV CHIEF OF THE CONTRACTING OFFICE CERTIFICATION**

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

[REDACTED]

[REDACTED]

Date

**APPROVING OFFICIAL (NPGI 6.304) – ECHELON IV COMMANDING OFFICER**

Upon the basis of the above justification, I hereby approve the contract modification described herein using other than ~~full~~ and open competition, pursuant to the authority of 10 U.S.C. 3204.

[REDACTED]

[REDACTED]

Date