JUSTIFICATION AND APPROVAL FOR
OTHER THAN FULL AND OPEN COMPETITION
10 U.S.C. § 3205
Tail Cone and Tail Rotor Pylon Kit
Solicitation 70Z03826QJ0000147

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by Federal Acquisition Regulation (FAR) 12.102(b), FAR Class Deviation 25-21 Rev. 1 for FAR Part 12, FAR 6.103, FAR Class Deviation 25-11 for FAR Part 6 and in accordance with the requirements of RFO 6.104, the justification for the use of the statutory authority under RFO 6.103 is justified by the following facts and rationale required under RFO 6.104-1 as follows:

1. **Agency and Contracting Activity.**

   The Department of Homeland Security (DHS), United States Coast Guard (USCG), Aviation Logistics Center (ALC), Medium Range Recovery (MRR) Division proposes to enter into a contract on a basis of other than full and open competition.

2. **Nature and/or Description of the Action being Approved.**

   (a) Nature of the action: The USCG intends to award on a sole source basis, a Delivery Order under an existing Basic Ordering Agreement (BOA) for the procurement of a Tailcone and Tail Rotor Pylon Kit hereafter referred to as "Kit". The Original Equipment Manufacturer (OEM) of the Kit is Sikorsky Aircraft Corporation (Sikorsky, CAGE: 78286) and is the only source capable of meeting the requirement. This requirement will be solicited utilizing FAR Part 12, Acquisition of Commercial Products and Commercial Services.

   (b) Name and address of the contractor:
   Sikorsky Aircraft Corporation (SAC)
   6900 Main Street
   Stratford, CT 06614
   Cage Code: 78286

   (c) Contract Type: Firm Fixed-Price (FFP) delivery order.

   (d) Estimated total value (including options): [redacted]

   (e) Type of funding: Operations and Support funds (O&S) funds.

   (f) Year of funding: Fiscal Year 2026

   (g) Solicitation number: 70Z03826QJ0000147

(h) Background information about the requirement: There is no previous purchase history.

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

This requirement is for a 41-piece materials-only kit (Enclosure A) with MH-60R production parts, equivalent to those in the MH-60T. This Kit is essential for the Service Life Extension Program (SLEP) to augment full replacement and maintain the aircraft's operational readiness. This Kit enables ALC to execute an Engineering Change Proposal (ECP) addressing the technical modifications required to install MH-60R tails on MH-60T hulls. This requirement is vital, as existing tail section components have reached or are nearing their 19,000-hour service life limit.

4. **Identification of Statutory Authority Permitting Other Than Full and Open Competition.**

The statutory authority permitting other than full and open competition is 41 U.S.C. § 1901 as implemented in Federal Acquisition Regulation (FAR) 12.102(b), and RFO 6.103 and in accordance with the requirements of RFO 6.104.

5. **Identification of Exception to the Buy American Statute.**

The nonavailability exception to the Buy American Statue does not apply to this requirement.

6. **Demonstration that the Proposed Contractor's Unique Qualifications or the Nature of the Acquisition Requires Use of the Authority Cited.**

(a) Rationale for using the authority cited in section 4 of the J&A.

The specifications, manufacturing drawings, data, test equipment, and tooling required to purchase the Kit are proprietary to the OEM, Sikorsky. The USCG did not purchase rights to the proprietary data required to foster a competitive environment as part of any original provisioning for use on the MH-60T aircraft and the cost to procure the data would be cost prohibitive. Correspondence with Sikorsky, dated 02/24/2026 confirmed that the Kit is only procurable through Sikorsky; therefore, Sikorsky is the only source capable of fulfilling the needs of this purchase.

(b) Details covering what events lead to the situation requiring use of other than full and open competition procedures including whether any portion of the work can be segregated to allow for competition.

Due to the lack of proprietary data, contact efforts were made to the OEM, Sikorsky. Correspondence with Sikorsky confirmed that they are the licensed OEM and all technical data required for the manufacture of the Kit is proprietary to them. Additional correspondence with MRR engineering, dated 02/09/2026

confirmed there are no other sources authorized to supply this Kit other than Sikorsky.

(c) Summarize alternatives considered and why they will not work.

As stated in 6(a), Sikorsky, the OEM, has communicated the specification, manufacturing drawings, data, test equipment, and tooling is proprietary to Sikorsky and there are no authorized distributors.

(d) Impact to the mission that would result if the J&A is not approved and, consequently, the product or service not provided.

Failure to approve this J&A will prevent the procurement of critical components. These components are essential to maintain airworthiness and extend the operational life of the MH-60T fleet. Initiating the SLEP ECO process will reduce maintenance downtime and maximize aircraft availability for missions requiring rotary wing capability, including securing U.S. borders, facilitating commerce, and responding to contingencies.

(e) Rationale for use of the nonavailability exception to the Buy American statute, including detailed information explaining why the particular articles, materials, or supplies of the class or kind to be acquired, either as end items or components, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

The nonavailability exception to the Buy American Statue does not apply to this requirement. Therefore, the Buy American Statue will be included in both the solicitation and terms and conditions of this contract.

7. Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as is Practicable.

(a) If an entry was made in APFS, provide the publication date.

Not applicable per Homeland Security Acquisition Manual (HSAM) Appendix H.

(b) If an announcement has already been made in SAM.gov, provide the publication date.

Not applicable.

(c) If an announcement is being planned for posting in SAM.gov, provide the estimated publication date.

This J&A will be posted to the Government Point of Entry (GPE) website, www.SAM.gov under Notice of Intent (NOI) 70Z03826QJ0000147 with an estimated publication date of 6/17/2026.

(d) If an announcement will not be published, identify the applicable exception under RFO Part 5.

Not applicable.

8. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable.

The Contracting Officer anticipates that the process for this requirement will be determined fair and reasonable. This will be based on the comparison with similar items in related industry IAW FAR RFO 15.404-1(b)(6).

9. Description of Market Research.

(a) Describe the market research techniques used, results, date(s) when the market research was conducted, and how the contracting officer used the market research to determine price reasonableness.

Market research was conducted IAW FAR Part 10 from August 2025 – June 2026. Government databases such as General Services Administration (GSA), Federal Logistics Information System Web Search (WebFLIS), and FedMall were all reviewed as part of market research. Commercial databases such as Inventory Locator Service (ILS) website were reviewed to identify other potential sources. Existing DHS-wide and multi-component Contract Vehicles with DHS Strategic Sourcing Program Office and/or on DHS Enterprise-side Contract Vehicle Portal were reviewed and were determined out of scope of this requirement. The OEM, Sikorsky, was contacted and market research confirmed Sikorsky is the only approved source for the procurement of the Tailcone and Tail Rotor Pylon Kit.

(b) Describe the market research results that support the determination that the items are nonavailable.
This requirement does not include the exceptions at FAR 25.103(b)(2) or FAR 25.202(a)(2).

(c) If market research was not conducted, state why.

Not applicable, market research was conducted from August 2025 – June 2026.

(d) If patents, copyrights, and/or intellectual property are applicable to the acquisition, describe the circumstances for acquiring a patented or copyrighted product on the representation of the intellectual property holder that has not been licensed for resale and consult with the Coast Guard IP attorney.

Not applicable.

10. Any Other Facts Supporting the Use of Other Than Full and Open Competition.

(a) An explanation why technical data packages, specifications, statement of work, or purchase descriptions are not suitable for full and open competition.

The specifications, drawings, technical data, test equipment, and tooling necessary to manufacture the Kit are proprietary to the OEM, Sikorsky. The USCG did not purchase the rights to the proprietary data required to foster a competitive environment. Therefore, as stated in 6(a), only the OEM is capable to provide the Kit.

(b) Discuss why your requirement cannot be modified to enhance competition.

This requirement cannot be modified due to the lack of proprietary data. All data rights are exclusive to the OEM, Sikorsky. Without authorization from the OEM, the Government has no leverage to purchase components from sources other than the OEM.

(c) For a proposed contract subject to the restrictions of RFO 6.103-1 for follow-on acquisitions as described in 6.103-1(c)(2)(i), all components must provide an estimate of the cost to the Government that would be duplicated and detailed information on how the estimate was derived.

Not applicable.

(d) For a proposed contract subject to the restrictions of RFO 6.103-2(c) or HSAR 3006.103-2(c)(70), HSAR Class Deviation 25-01 and where RFO 6.103-2 is cited as the authority, describe the exceptional circumstances allowing for an award for a period of performance in excess of the one-year limitation (applicable to all federal agencies) or the DHS-specific statutory 150-day limitation.

Not applicable.

11. A Listing of the Sources, if Any, that Expressed, in Writing, an Interest in the Acquisition.

To date, there have been no other sources that have expressed interest in this requirement.

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12. A Statement of the Actions, if Any, the Agency May Take to Remove or Overcome Any Barriers to Competition Before Any Subsequent Acquisition for Supplies or Services Required.

(a) Will the Government revise overly technical specifications, acquire data rights, etc.?

The USCG does not possess the technical data required to foster full and open competition for the Kit covered under this justification and approval. The USCG will continuously conduct market research to ensure that companies interested in doing business with the USCG are given every opportunity to compete for future USCG requirements. In an effort to increase competition, MH-60T program members intend to conduct internet database research and ensure procurements are advertised in SAM.gov. If another potential source emerges, and the USCG is able to obtain the required technical data, the USCG will assess whether competition for any future requirements is feasible.

(b) When a J&A is issued for the purposes of acquiring goods or services while a competitive procurement is being conducted, the justification should include a detailed timeline for completion of the competitive procurement. The period of performance for the sole source action should fairly balance the time needed to complete the competitive procurement. The focus should be on minimizing the need for additional sole source awards.

Not applicable.

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13. Contracting Officer's Certification.

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

[redacted] [redacted]

14. Technical/Requirements Personnel Certification.

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

[redacted] [redacted]