JUSTIFICATION AND APPROVAL FOR
OTHER THAN FULL AND OPEN COMPETITION
10 U.S.C. § 3204(a)(1)

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11[1]) and in accordance with the requirements of Revolutionary FAR Overhaul (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, United States Coast Guard (USCG), CG-SEA-C in support of Surface Forces Logistics Center (SFLC), Long Range Enforcer Product Line (LREPL).

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

(a) Nature of the action: USCG intends to procure on a sole source basis to Northern Defense Industries, LLC (NDI) for the repair parts for the Hensoldt Sensor Telefunken Radar System - 3D (TRS-3D)AN SPS-75 Air Search Radar System of the 418' WMSL cutters. NDI is the only U.S sole service provider for the Original Equipment Manufacture (OEM), HENSOLDT Sensors.

(b) Name and address of the contractor:

HENSOLDT Sensors (OEM)
Woerthstr.85
Ulm, Germany 89077
UEI: CUKMJYB88MY8

Northern Defense Industries, LLC (NDI) (Sole Service Provider)
649 S Washington Street
Alexandria, VA 22314-4109
UEI: HH3RNN7NCCV1

(c) Contract Type: Requirements contract, under which Firm-Fixed Price (FFP) Task Orders

(d) Estimated total value (including options):

[redacted]

[1] 1 In this document, citations to RFO Parts 6, 10, 15, 25 are citations specifically to FAR Class Deviation 25-11 for FAR Part 6, FAR Class Deviation 25-06 for FAR Part 10, FAR Class Deviation 26-08 Rev. 1 for FAR Part 15, and FAR Class Deviation 25-09 Rev.1 for FAR Part 25, which were issued as part of the Revolutionary FAR Overhaul (RFO), implemented in response to Executive Order 14275, **Restoring Common Sense to Federal Procurement,** signed April 15, 2025.

(e) Type of funding: Operations and support funds

(f) Year of funding: The applicable year of funding is the Fiscal Year (FY) corresponding to the date the order is placed

(g) Solicitation number: 70Z08526RRJ001B00

(h) Background information about the requirement: The previous requirement supporting the AN/SPS-75 radar was fulfilled simultaneously by purchasing supply parts stored in the warehouse and utilizing new parts to replace those requiring repair. To date, only one Simplified Acquisition Procedure (SAP) procurement has been conducted for this radar system. This procurement was awarded to NDI under Contract 70Z08524P39027B00, totaling $235,890.08 for the repair of three-line items. At present, there is no active contract for these services; repairs have been performed on an as-needed basis.

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

This acquisition is for repair services for the AN/SPS-75 Air Search Radar System. These services are essential to maintain the radar system in fully mission-capable status, ensuring operational readiness and reliability for critical air search and detection functions.

The vendor will be responsible for disassembly, inspection, condition and test reporting, repairs, reassembly, testing, preservation, packaging, packing, and marking of the AN/SPS-75 Air Search Radar System. "Enclosure 1: List of Repair Items" to this document identifies the specific parts to be repaired under this requirement.

NDI is the only U.S authorized repair vendor that provides this service for the critical radar components

4. **Identification of Statutory Authority Permitting Other Than Full and Open Competition.** The statutory authority permitting other than full and open competition is 10 U.S.C. § 3204(a)(1) implemented by the RFO Subpart 6.103-1 entitled, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

5. **Identification of Exception to the Buy American Statute**. The exception to the Buy American statute permitting the purchase of articles that are not domestic end products is RFO 25.103(b)(2) Nonavailability.

6. **Demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.**

The AN/SPS-75 (Hensoldt TRS-3D) radar is the designated system of record for the entire 10-ship Legend-class National Security Cutter Weapons Maritime Security Large (WMSL) fleet. Replacing this radar with a Buy American Act-compliant alternative would require a complete overhaul of the ships' highly specialized, proprietary SeaCommander combat systems, rendering it cost-prohibitive. The Coast Guard has a massive capital investment in these fleet-wide radars; maintaining operational capability exclusively through the OEM is vital to avoid compromising multi-mission execution, interoperability with the U.S. Navy, and personnel safety.

Hensoldt sensor has designated NDI as the sole authorized U.S. service provider for repairs, granting

them exclusive access to OEM-certified parts, processes, and technical data. The OEM has not released technical information or parts to other U.S. contractors or the USCG, making in-house or alternative repairs infeasible.

All repairs must follow OEM protocols to preserve system reliability and warranty coverage. Attempts to segregate or compete the work would result in incomplete repairs, system failures, and loss of warranty or OEM support. Market research confirms that no other U.S. contractor is authorized or possesses the necessary technical data or expertise. Hensoldt Sensor does not provide direct repair services in the U.S., requiring all repairs to be performed by NDI.

Therefore, only NDI can fulfill the requirement in accordance with OEM standards. The nonavailability exception to the Buy American statute applies, as the required parts and services are not produced or available in sufficient quality or quantity from other U.S. sources. If this justification is not approved, USCG assets equipped with the AN/SPS-75 radar will face degraded operational capability, compromising mission execution and national security.

7. Description of Efforts Made to Ensure that Offers are Solicited from as Many Potential Sources as is Practicable. The Acquisition Planning Forecast System (APFS) Record Number F2025068790 was originally published on September 23, 2025, and updated on November 5, 2025 and April 3, 2026, with no responses received. A Sources Sought Notice (SSN), ID 70Z08526SRJ005B00, was posted on SAM.gov from October 28 to November 12, 2025, to solicit contractor interest. Two responses were received: NDI (the sole authorized distributor for OEM) and TSS Solutions (not authorized and lacking OEM proprietary data, thus ineligible). Coast Guard market research confirmed that only NDI, as the OEM's designated repair facility, can meet requirements. The projected solicitation posting date is July 4, 2026.

8. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable. The Contracting Officer will determine that the anticipated prices to be fair and reasonable based on prices analysis in accordance with RFO Subpart 15.404-1(b), utilizing a combination of price analysis techniques to include: comparison of proposed prices to Independent Government Cost Estimate (IGCE) for the overhauls of similar Radars. (RFO 15.404-1 (b)(2)(ii)), current catalog prices (RFO 15.404-1(b)(5) and an analysis of other than certified cost and pricing data (RFO 15.404-1(b)(7).

9. Description of Market Research.

Market research was conducted from August 2023 to April 3, 2026 by the Contracting Officer's Representative (COR) and Contract Specialist (KS) in accordance with RFO Part 10. Activities included reviewing OEM capabilities, assessing authorized sources, evaluating the commercial marketplace, publishing a SSN on SAM.gov, listing the requirement in the APFS, contacting the OEM and its authorized distributor, requesting data rights, and searching sources such as General Services Administration (GSA) Advantage, Department of Homeland Security (DHS) Strategic Sourcing Vehicles, historical contracts,(Naval & Electronics Supply Support System (NESSS), Federal Procurement Data System - Next Generation (FPDS-NG), the Federal Prison Industries (FPI) catalog, and USAspending (discussed in sections: 2(h); 6 and 7). These efforts determined that only the OEM-authorized service provider can meet the Government's requirements.

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

None.

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

Discussed in Section 7.

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.

The USCG is repairing TRS-3D / AN SPS-75 Air Search Radar Systems, for which only one contractor is authorized to perform repairs. This requirement will remain ongoing for the USCG. As previously noted, the data, specifications, and software codes for these systems are proprietary to the OEM. Repeated attempts to obtain OEM data have been unsuccessful, making it unlikely that competition barriers can be resolved. Currently, no other authorized contractors are known to repair TRS-3D / AN SPS-75 Air Search Radar Systems.

At this time, the Government does not intend to pursue competitive procurement, as doing so would compromise fleet safety and the USCG assets. Only NDI, the OEM's authorized repair center, is acceptable for the repairs of TRS-3D / AN SPS-75 Air Search Radar Systems.

The USCG will continue to engage with the OEM regarding the potential release of proprietary data prior to any future acquisitions.

List of enclosures:

- Enclosure 1: List of Repair Items
- Enclosure 2_TSS"
- Enclosure 3_Request for Information

13. Contracting Officer's Certification.

[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]

RECOMMENDED FOR APPROVAL

[redacted]

[redacted]