

# CUI

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Standard Form 901 (11-18)  
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# CUI

**JUSTIFICATION REVIEW DOCUMENT  
OTHER THAN FULL AND OPEN COMPETITION**

**PROJECT: Power Generation Microgrid, Cape Cod Space Force Station, Bourne, MA**  
**EQUIPMENT: TSS USA Manufacturing Power Filters**

**CONTROL NO: 25-11**  
**AMOUNT: \$2,000,000**

**AUTHORITY: 10 U.S.C. § 3204(a)(1)**

<b>CONTRACT SPECIALIST</b>	NAME: Tyler S. Maryak PHONE: (978) 318-8049	DATE: 11/07/2025
<b>CONTRACTING OFFICER</b>	NAME: Erin E. Bradley PHONE: (978) 318-8195	DATE: 11/07/2025
<b>TECHNICAL</b>	NAME: Angela Frisino PHONE: (978) 318-8085	DATE: 11/07/2025
<b>REQUIREMENTS</b>	NAME: Eric Rosenberg PHONE: (978) 318-8216	DATE: 11/07/2025

**SIGNATURES ARE REQUIRED BELOW:**

**I have reviewed this J&A and find the justification adequate to support other than full and open competition.**

<b>DISTRICT SMALL BUSINESS SPECIALIST</b>	SIGNATURE: DANTUON O.EVA.M.1 NAME: 228536128 <small>Digitally signed by DANTUONO.EVA.M.1228536128 Date: 2025.11.07 11:04:23 -05'00'</small>	DATE: PHONE:
<b>PROJECT MANAGER</b>	SIGNATURE: ROSENBERG.ERIC.C.1 NAME: 554932335 <small>Digitally signed by ROSENBERG.ERIC.C.1554932335 Date: 2025.11.07 10:30:15 -05'00'</small>	DATE: PHONE:
<b>DISTRICT COUNSEL</b>	SIGNATURE: NEGRON.THERESA.A. NAME: 1022908231 <small>Digitally signed by NEGRON.THERESA.A.1022908231 Date: 2025.11.07 11:59:38 -05'00'</small>	DATE: PHONE:
<b>CHIEF OF THE CONTRACTING OFFICE</b>	SIGNATURE: WINSTONVINCUILLA.SHEILA.M. NAME: A.M.1228580461 <small>Digitally signed by WINSTONVINCUILLA.SHEILA.M.1228580461 Date: 2025.11.07 13:51:25 -05'00'</small>	DATE: PHONE:
HQ, Office of Counsel	BEAVIN.TARRAH.M.1386571895 NAME: Tarrah M. Beavin <small>Digitally signed by BEAVIN.TARRAH.M.1386571895 Date: 2025.11.12 11:53:35 -05'00'</small>	DATE: 12 November 2025 PHONE: 470-572-0674

**JUSTIFICATION AND APPROVAL  
FOR OTHER THAN FULL AND OPEN COMPETITION  
TSS USA Manufacturing Power Filters  
Power Generation Microgrid, Cape Cod Space Force Station (CCSFS),  
Bourne, MA  
Solicitation No. W912WJ26RA003**

**1. Contracting Activity:**

U.S. Army Corps of Engineers (USACE), New England District (NAE)  
696 Virginia Road  
Concord, MA 01742

**2. Description of Action:**

Approval is requested for use of brand name items in an upcoming acquisition.

This J&A supports the use of brand name components in an upcoming firm-fixed-price construction project funded with procurement appropriations. The Government will not purchase the components directly but rather will require that offerors include the provision and installation of these brand name components as part of proposals submitted in response to a competitive solicitation that will lead to the award of a new construction contract.

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

This project is a Cape Cod Space Force Station (CCSFS) requirement to ensure continued operation. The requirement is to provide TSS USA Manufacturing (TSS) Electromagnetic Interference (EMI) power filters for installation at Building 4 of CCSFS. Power filters protect against Electromagnetic Pulses (EMP) and High-altitude Electromagnetic Pulses (HEMP). The HEMP power filters are a necessary part of protecting mission critical equipment and facilities and meeting military standards. The Power Plant (Building 4) will have four incoming power lines requiring two (2) 4,000 AMP (model LV1A-H-4L-4000A-480V) and two (2) 3,000 AMP (model LV1A-H-4L-3000A-480V) filters. This will be a one-time purchase of the filters.

USACE is the servicing agency authorized under the Chiefs Economy Act, 10 U.S.C. § 3036, and thus responsible for the acquisition and administration of a new construction contract to construct a microgrid intended to replace the aging power generation plant and associated infrastructure with all new electrical systems and backup power assets at CCSFS in Bourne, MA.

The estimated cost of the requested brand-name requirement for the power filters for the CCSFS Power Generation Microgrid project is [REDACTED]

The solicitation for the construction contract for this project will be an unrestricted, Best Value Trade-off solicitation, competed under FAR Part 15. The solicitation is expected to be awarded in Fiscal Year (FY) 2026 with construction completed in FY 2030, with a total estimated construction cost of [REDACTED]

#### **4. Authority Cited:**

10 U.S.C. § 3204(a)(1), as implemented by FAR 6.302-1(a)(2) – Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements and FAR 6.302-1(c) – Application for Brand-Name Descriptions. In accordance with this authority, the solicitation will specify that all offerors be required to procure only the cited brand-name product.

#### **5. Reason for Authority Cited:**

##### **a. Background:**

Building 4 at CCSFS is a critical facility that is integral to the PAVE Phased Array Warning System (PAWS) mission. The PAVE PAWS mission is part of a defense network containing strategically positioned early warning radars around the world. Continuous operation of associated facilities with this mission is vital to the Nation's defense in providing immediate interception guidance to assist with eliminating missiles and other threats. Any unscheduled downtime is a risk to national security. The four new incoming power feeders to Building 4 require filters to protect against HEMP events and to meet Military Standards (MIL-STD). Building 4 will have four incoming medium voltage power feeders requiring filters: two 4,000-amp for the incoming utility feeders, one 3,000-amp for the distributed energy resource (wind turbine and Battery Energy Storage System (BESS)) feeder, and one 3,000-amp for generator testing.

##### **b. Justification:**

The space constraints of the site is the main condition requiring the TSS Manufacturing Electromagnetic Interference Power Filters. TSS Manufacturing 3,000-amp and 4,000-amp power filters provide a compact footprint compatible with site constraints, access for maintenance, is compliant with applicable standards, including MIL-STD-188-125-1A, and regulatory requirements. The filters consist of a cabinet where the power enters at the bottom, is run through the filter modules, and then enters the building through the output termination enclosure at the top. This cabinet is 30" deep and 36" clear space is required on the front for access to the cabinet, per National Electric Code (NEC). This assembly requires about six feet on the side of the building. The ampacity required for these incoming power feeders is larger than industry standard, which is roughly 1200 Amps.

The large assembly which would be required to meet the same ampacity protection with industry standard filters will not fit within the available space, because it would require power filter assemblies two to three times that length. The 3,000 amp and 4,000 amp power requirement would increase the footprint a total of 18 feet and 24 feet, respectively, due to the additional amount of lower amperage power filters

needed to meet the overall amperage capacity. Additionally, the tradeoff for more filters at decreased amperages directly increases the HEMP hardness maintenance and surveillance costs for each additional hardness critical item.

No other brand provides filters of adequate amperage with a footprint that is compatible with the site constraints, as the arrangement required using multiple standard power filters will not fit within the site constraints (see detailed layout description in 5.c). The arrangement allowed by the TSS Manufacturing filters is the only compatible arrangement that meets the safety, operational, and maintenance requirements of the site.

For the reasons stated above, FAR 6.302-1(a)(2), Only One Responsible Source, is the appropriate authority for this procurement with application of FAR 6.302-1(c)(1), Application for brand-name descriptions, as only TSS Manufacturing's filters will meet the Government's requirements.

c. Alternatives:

To meet the ampacity requirements, it would require standard filters to be placed in a parallel arrangement with three or four filters in line. For all ampacities, the physical size of the filters are roughly the same. Therefore, this arrangement would be three to four times larger and would restrict access for maintenance and operation, interfere with existing infrastructure, and result in inadequate clearance that would not comply with safety and regulatory regulations. This would also likely push these arrangements into the Radiation Hazard (RADHAZ) area which is a restricted area. Other power filters on the market do not meet the allowable dimensions due to the amperage limitations of a single power filter.

d. Impact:

Standard power filters will not fit within the site constraints. If not approved, critical assets located within Building 4 will not be protected against HEMP events. The building and the mission critical systems would be put at risk. The HEMP protection is required to ensure continuous operation of the national defense mission critical facility. If there is any penetration to the HEMP shield, a HEMP attack can destroy the power systems of the building requiring full replacement and downtime of the facility. The PAVE PAWS facility at CCSFS is part of a worldwide missile defense system. Any unscheduled downtime would be a critical national defense failure.

## 6. Efforts to Obtain Competition:

a. Effective Competition: For the reasons discussed above, brand name components are required and will be specified in an otherwise competitive solicitation for a construction project. The brand-name components to be required include two (2) 4,000 AMP (model LV1A-H-4L-4000A-480V) and two (2) 3,000 AMP (model LV1A-H-4L-3000A-480V) filters manufactured by TSS. A sources sought notice for the entire contract work for the overall construction project was posted to SAM.gov on 03 October 2024. Fourteen (14) contractors responded to the notice. Seven responses came from small businesses and five came from Joint Venture teams with large business support. Based on these responses, the

NAE evaluation team determined that adequate competition existed and that unrestricted competition using a best-value trade-off process was appropriate for this solicitation. It was determined that no small business respondent had the capability and bonding capacity to meet the contract requirements.

A Notice of Intent (NOI) to sole source the brand name components that offerors will be required to procure, as specified in the technical documents for the construction project, was posted on 16 May 2025 to determine potential sources for this system. The NOI was published for the required 15 days on the SAM.gov website. No responses were received.

b. Subcontracting Competition: Subcontracting opportunities for these filters will be limited since the Prime Contractor is expected to order the products directly from the manufacturer and coordinate delivery to the work site. However, it is expected there are other areas of work that allow ample competitive subcontracting opportunities.

## **7. Actions to Increase Competition:**

A draft solicitation in which these brand name requirements were included was issued for interested party comment on 29 September 2025. Responses from multiple firms were received. None of the responses indicated that the brand name requirements would preclude them from submitting a proposal on the overall construction contract.

Based on the information in the above paragraphs, increasing competition for this action is not feasible. The brand-name requirement for this system does not preclude a wide range of contractors from submitting a proposal on this procurement of an otherwise competitive construction project.

## **8. Market Research:**

Market research was conducted in May 2025 upon completion of the 65% design submittal and it was confirmed that all other filters either do not meet the ampacity requirements, or, to meet them, would need larger site areas to configure parallel arrangements. The project delivery team surveyed other manufactured product amperages and dimensions on manufacturer websites and through vendor analysis conducted by the Designer of Record. The market research determined that TSS USA Manufacturing is the only brand available to ensure the building meets HEMP protection requirements and fits within the facility's space constraints. See Section 9 (Interested Sources).

## **9. Interested Sources:**

A Notice of Intent (NOI) to determine potential sources for this system was posted on 16 May 2025. The NOI was published for the required 15 days on the SAM.gov website. There were no responses to the NOI. No sources expressed interest in the subject action. This Justification and Approval will be posted with the solicitation in accordance with 6.305(c).

**10. Other Facts:**

TSS Manufacturing meets FAR Buy American requirements.

**11. Technical Certification:**

I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Signature: FRISINO.ANGEL A.E.1385054447 Digitally signed by FRISINO.ANGEL.A.E.1385054447 Date: 2025.11.07 10:20:57 -05'00' Date: \_\_\_\_\_

Typed Name: Angela Frisino Title: Technical Lead

**12. Requirements Certification:**

I certify that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Signature: ROSENBERG.ERIC.C.1554932335 Digitally signed by ROSENBERG.ERIC.C.1554932335 Date: 2025.11.07 10:29:42 -05'00' Date: \_\_\_\_\_

Typed Name: Eric Rosenberg Title: Project Manager

**13. Fair and Reasonable Cost Determination:**

I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable. Reasonableness will be determined using price analysis techniques. Per FAR 15.406-2, a Certificate of Current Cost and Pricing Data may be obtained but may be waived depending on the level of competition for the contract.

Signature: Erin E. Bradley Digitally signed by BRADLEY.ERIN.ELIZABETH.138 8608440 Date: 2025.11.07 13:22:37 -05'00' Date: \_\_\_\_\_

Typed Name: Erin E. Bradley Title: Contracting Officer

**14. Contracting Officer Certification:**

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

Signature: Erin E. Bradley Digitally signed by BRADLEY.ERIN.ELIZABETH.138 8608440 Date: 2025.11.07 13:23:04 -05'00' Date: \_\_\_\_\_

Typed Name: Erin E. Bradley Title: Contracting Officer

**APPROVAL**

Based on the foregoing justification, I hereby approve the procurement of two (2) 4,000 AMP and two (2) 3,000 AMP TSS USA Manufacturing Electromagnetic Interference power filters for approximately [REDACTED] on an other than full and open competition basis pursuant to the authority of 10 U.S.C. § 3204(a)(1), as implemented in FAR 6.302-1(a)(2) and FAR 6.302-1(c), subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for this acquisition.

 Digitally signed by  
EICHORN.LAURA.J.1026254783  
Date: 2025.11.12 12:59:37 -05'00' 12 NOV 25

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Laura Eichhorn  
Command Advocate for Competition