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Template:
Justification and Approval for Other Than
Full and Open Competition (J&A)

A Mandatory Reference for ADS Chapter 302

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TEMPLATE

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN
COMPETITION (J&A)**

TO: Name, Contracting Officer, Agency Competition Advocate (Or Other Approving Official, As Applicable)

From: Name, Technical Officer/Activity Manager

SUBJECT: JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION (J&A)

1. This document sets forth the facts and rationale justifying the use of other than full and open competition, in accordance with [Insert: FAR 6.3 or AIDAR 706.302]. This document was prepared by [Insert: The agency and the contracting activity, and specific identification for the cognizant technical office].

2. The nature and/or description of the action being approved:

This is a request to approve [Insert: The description of currently proposed contract action:[sole source, limited competition award, contract modification scope expansion, adding new work, follow-on specialized services, or other currently proposed contract action] award to _____ for \$____. Under this action _____ {insert implementer name} will provide _____ {insert type of work}.

3. Description of the supplies or services required, including an estimated value:

[Insert: The description of supplies and services covered under the proposed action for which you are requesting approval]

4. Statutory authority permitting other than full and open competition:

[Insert the description of the Federal Acquisition Regulation (FAR) exemptions [FAR 6.302-1 through FAR 6.302-7] or Agency for International Development Acquisition Regulation {AIDAR} [AIDAR 706.302-70(a) or the Expedited Policies and Procedures [EPP] that supports the proposed action for which you are requesting approval.]

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition that requires use of the authority cited:

[Insert: The facts and rationale that justifies the use of the authority cited in section 4. This must include specific statements addressing the prescription for the authority cited

in FAR, AIDAR, or the EPP. In addition, provide the rationale as to why a direct award to local contractor(s) was not considered.

6. Description of the efforts made to ensure that offers are solicited from as many potential sources as practicable, including whether a notice was or will be publicized as required by Federal Acquisition Regulation (FAR) 5.202 [AIDAR 705.002].

[Insert: requested information and or address exceptions to the requirement to publicize the proposed action. Not needed if using EPP waiver.]

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable:

[Insert: The basis for this assertion, i.e. results of a market survey, historical costs, review of proposed cost, Government estimate, determination of no increase in the total estimated costs, etc.]

8. Description of the market research conducted, and the results or a statement of the reasons market research was not conducted:

[Insert the requested information.]

9. Other facts supporting the use of other than full and open competition:

(i) When FAR 6.302-1 (Only One Responsible Source) as described in FAR 6.302-1(a)(2)(ii), or AIDAR 706.302-70(b)(5) (Highly Specialized Services) is cited for follow-on acquisitions, provide an estimate of the cost to the Government that would be duplicated and how the estimate was derived, and/or address the harm that would be done to the Government or program if there are unacceptable delays;

(ii) When FAR 6.302-2 (Unusual and Compelling Urgency) or AIDAR 706.302.70(b) (Impairment of Foreign Aid Programs) is cited, include data, estimated cost, or other rationale as to the extent and nature of the harm, to the Government or foreign assistance objective. Document the reasons why no other source could practicably compete for the interim requirement.

10. Sources, if any, that expressed an interest, in writing, in the acquisition:

[Insert the name of any companies that responded to the synopsis and how each response was resolved. This resolution of responses and update to the JOFOC must be completed prior to obtaining approval of the JOFOC]

11. The actions the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:

[Insert information: All subsequent requirements for these goods or services will be competed.]

12. Technical or requirement personnel certification:

In accordance with FAR 6.303.2(b), I hereby certify that the technical statements included above and which form a basis for the justification are complement and accurate.

Technical Office Representative

Date

13. Contracting Officer Certifications:

[As required see AIDAR 706.302(c) (2 & 4)]

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

Contracting Officer

Date

14. Clearance

[As required see ADS 302 Mandatory Reference Key Guidance]

Legal Counsel

Date

15. Approved/Disapproved

[As required: see FAR 6.304 and AIDAR 706.302(c) (3 &4) or Expedited Procurement Procedures]

Competition Advocate

Date