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# ANNEX 7 - SECTION 843 DETERMINATION & FINDING TEMPLATE

This annex contains the required Determination & Finding template for approval of requirements under Title 10, United States Code, Section 2304a(d)(1)(A).

When you *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A-D)]* on the template, use one of the following:

10 USC 2304a(d)(3)(A)(i) - The task or delivery orders expected under the contract are so integrally related that only a single source can efficiently perform the work;

10 USC 2304a(d)(3)(A)(ii) - The contract provides only for firm, fixed price task orders or delivery orders for-

(i) products for which unit prices are established in the contract; or

(ii) services for which prices are established in the contract for the specific tasks to be performed;

10 USC 2304a(d)(3)(A)(iii) - Only one source is qualified and capable of performing the work at a reasonable price to the government; or

10 USC 2304a(d)(3)(A)(iv) Because of exceptional circumstances, it is necessary in the public interest to award the contract to a single source.

”

## ***[ PRINT ON THE APPROPRIATE LETTERHEAD ]***

### DETERMINATION AND FINDINGS

#### FOR AUTHORITY TO AWARD A SINGLE SOURCE TASK OR DELIVERY ORDER CONTRACT

In accordance with Title 10, United States Code, Section 2304a(d)(3), as amended, I as the *[ INSERT AGENCY AND TITLE ]* hereby make the following findings and determination concerning the award of a task or delivery order contract to a single source for *[ INSERT BRIEF DESCRIPTION OF END ITEM OR PROGRAM ]*.

### FINDINGS

1) Under Title 10, United States Code, Section 2304a(d)(3), the Department of Defense may not award task or delivery order contracts exceeding \$100 million, inclusive of all options, to a single source, unless the head of the agency, as delegated, determines in writing that *[ CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A)(i-iv) ]*.

(2) *[ INSERT NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED. IF THE PREVIOUS EFFORT WAS OTHER THAN FULL AND OPEN COMPETITION, CITE THE CONTRACTOR, THE DOCUMENT TITLE AND NUMBER WHICH GRANTED APPROVAL AND THE*

*AUTHORITY CITED THEREIN].*

(3) *[INSERT THE APPROPRIATE STATUTE AND/OR REGULATION UPON WHICH THE D&F IS BASED].*

(4) *[INSERT THE PARTICULAR CIRCUMSTANCES, FACTS, OR REASONING ESSENTIAL TO SUPPORT THIS DETERMINATION].*

(5) The anticipated contract amount exceeds \$100 million. *(Note, do NOT include specifics on the Government estimate as this document is releasable.)*

#### DETERMINATION

Based on the findings above and pursuant to the authority in Title 10, United States Code, Section 2304a(d)(3), I hereby determine that *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A)(i-iv)]*. Therefore, approval is granted to award a single source task or delivery order contract for *[INSERT BRIEF DESCRIPTION OF END ITEM OR PROGRAM]*.

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*[INSERT NAME OF THE APPROVING OFFICAL]*      Date

#### ***[ PRINT ON THE APPROPRIATE LETTERHEAD ]***

#### DETERMINATION AND FINDINGS

#### FOR AUTHORITY TO AWARD A SINGLE SOURCE TASK OR DELIVERY ORDER CONTRACT

In accordance with Title 10, United States Code, Section 2304a(d)(3), as amended, I as the *[INSERT AGENCY AND TITLE]* hereby make the following findings and determination concerning the award of a task or delivery order contract to a single source for *[INSERT BRIEF DESCRIPTION OF END ITEM OR PROGRAM]*.

#### FINDINGS

1) Under Title 10, United States Code, Section 2304a(d)(3), the Department of Defense may not award task or delivery order contracts exceeding \$100 million, inclusive of all options, to a single source, unless the head of the agency, as delegated, determines in writing that *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A)(i-iv)]*.

(2) *[INSERT NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED . IF THE PREVIOUS EFFORT WAS OTHER THAN FULL AND OPEN COMPETITION, CITE THE CONTRACTOR, THE DOCUMENT TITLE AND NUMBER WHICH GRANTED APPROVAL AND THE AUTHORITY CITED THEREIN].*

(3) *[INSERT THE APPROPRIATE STATUTE AND/OR REGULATION UPON WHICH THE D&F IS BASED].*

(4) *[INSERT THE PARTICULAR CIRCUMSTANCES, FACTS, OR REASONING ESSENTIAL TO*

*SUPPORT THIS DETERMINATION].*

(5) The anticipated contract amount exceeds \$100 million. (*Note, do NOT include specifics on the Government estimate as this document is releasable.*)

DETERMINATION

Based on the findings above and pursuant to the authority in Title 10, United States Code, Section 2304a(d)(3), I hereby determine that *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A)(i-iv)]*. Therefore, approval is granted to award a single source task or delivery order contract for *[INSERT BRIEF DESCRIPTION OF END ITEM OR PROGRAM]*.

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*[INSERT NAME OF THE APPROVING OFFICAL]*

Date