6.303-2 Content.

- (a) Each justification *shall* contain sufficient facts and rationale to justify the use of the specific authority cited.
- (b) As a minimum, each justification, except those for sole-source 8(a) contracts over \$30 million (see paragraph (d) of this section), *shall* include the following information:
- (1) Identification of the agency and the *contracting activity*, and specific identification of the document as a "Justification for other than *full and open competition*."
- (2) Nature and/or description of the action being approved.
- (3) A description of the *supplies* or services required to meet the agency's needs (including the estimated value).
- (4) An identification of the statutory authority permitting other than full and open competition.
- (5) A demonstration that the proposed contractor's unique qualifications or the nature of the *acquisition* requires use of the authority cited.
- (6) A description of efforts made to ensure that *offers* are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by <u>subpart 5.2</u> and, if not, which exception under 5.202 applies.
- (7) A determination by the *contracting officer* that the anticipated cost to the Government will be fair and reasonable.
- (8) A description of the *market research* conducted (see <u>part 10</u>) and the results or a statement of the reason *market research* was not conducted.
- (9) Any other facts supporting the use of other than full and open competition, such as:
- (i) Explanation of why *technical data* packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for *full and open competition* have not been developed or are not available.
- (ii) When 6.302-1 is cited for follow-on *acquisitions* as described in 6.302-1(a)(2)(ii), an estimate of the cost to the Government that would be duplicated and how the estimate was derived.
- (iii) When 6.302-2 is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.
- (10) A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.
- (11) A statement of the actions, if any, the agency *may* take to remove or overcome any barriers to competition before any subsequent *acquisition* for the *supplies* or services required.
- (12) Contracting officer certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.
- (c) Each justification shall include evidence that any supporting data that is the responsibility of

technical or requirements personnel (*e.g.*, verifying the Government's minimum needs or schedule requirements or other rationale for other than *full and open competition*) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel.

- (d) As a minimum, each justification for a sole-source 8(a) contract over \$30 million *shall* include the following information:
- (1) A description of the needs of the agency concerned for the matters covered by the contract.
- (2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract (see <u>19.805-1</u>).
- (3) A determination that the use of a sole-source contract is in the best interest of the agency concerned.
- (4) A determination that the anticipated cost of the contract will be fair and reasonable.
- (5) Such other matters as the *head of the agency* concerned *shall* specify for purposes of this section.

Parent topic: <u>6.303 Justifications.</u>