

LIMITED SOURCES J&A TEMPLATE

LIMITED SOURCES JUSTIFICATION AND APPROVAL

Contracting Activity: _____
Purchase Request/Local Identification Number: _____
Program Name (and Program Element, if applicable): _____
Estimated Cost/Price of the Action (including options): \$ _____
Type Program: _____ *(Insert PEO Program or Other Contracting (See AFFARS 5302.101 for definitions))*
Authority: Multiple Award Schedule Program, FAR 8.405-6 and DFARS 208.405-70
Type J&A: _____ *(Class or Individual)*
AF Form 3215 Number: _____

Contracting Officer: _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

Program Manager: _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

Local Legal Reviewer: _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

Chief of the Contracting Office: _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

Competition Advocate: _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

Senior Center Contracting Official: _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

Wing/GSU GO/SES or PEO* _____
 (Name) (Office Symbol) Date Signed
 DSN: XXX-XXXX, COM: (XXX) XXX-XXXX

**(If order is above Competition Advocate approval threshold, insert title of appropriate approval authority: either the Wing (Group)/GSU CC or Director, if a General Officer or SES, if not; then the PEO or the Deputy for Acquisition)*

Communications and Information Systems Officer (CSO) Certification

I certify that the data supporting the recommended use of other than full and open competition for the acquisition of these information technology resources is complete and accurate.

CSO Signature

(Name)

Date Signed

(Office Symbol)

**Title (Organizational Symbol Communications and Information
Systems Officer**

DSN: XXX-XXX, COM: (XXX) XXX-XXXX

LIMITED SOURCES JUSTIFICATION

I. Contracting Activity

Fully identify the contracting activity responsible for the proposed contracting action. Include the name/phone number of the Contracting Officer. Specifically identify as a “Limited Sources” Justification. Identify purchase request number, if applicable.

II. Nature and/or Description of the Action Being Processed

State whether the action is a new order or by modification to an existing order. Identify the GSA schedule number, the Blanket Purchase Agreement (BPA) number, the order number for the current action, and the Contactor(s). Indicate the Period of Performance (PoP). Also identify the type of the order/line items on the order (e.g. Firm Fixed Price, Labor Hour, etc).

III. Description of the Supplies/Services Required To Meet the Agency’s Needs

Specifically describe the supplies and/or services to be acquired including the price and quantity of each item in the order and state the total estimated value of the order. For services, state whether the services are performance-based, and if not, provide rationale for not being performance based. Also state the delivery/performance schedule/period for the items under the order.

IV. Identification of the Justification/Rationale for Limiting Sources and Demonstration of the Contractor’s Unique Qualifications to Provide the Required Supply/Service

This section is normally the most detailed part of the justification. To assist you in preparing this justification, an introductory sentence and the four circumstances of FAR 8.405-6 that justify restricting the number of schedule holders, are provided below. Select the appropriate cite, then provide, in narrative form, a detailed explanation supporting the specific circumstance cited for limiting the number of schedule holders.

(Introductory sentence): FAR 8.405-6 requires an ordering activity to justify its actions when restricting consideration of schedule contractors to fewer than required in FAR 8.405-1 or 8.405-2. In addition, DFARS 208.405-70 (c) requires that all orders exceeding \$100,000 be placed on a competitive basis (by providing a fair notice of the intent to make the purchase) unless a written determination is justified and approved. The specific circumstance that justifies restriction for this acquisition is FAR 8.405-6 (b) () (Insert (1), (2), (3), or FAR 8.405-6(a) (2), as applicable).

After selecting the appropriate cite, next select one of the four sentences below and provide a detailed explanation supporting the specific circumstance cited.

FAR 8.405-6 (b) (1), “Only one source is capable of responding due to the unique or specialized

nature of the work”. *(Provide a detailed justification with supporting documentation, as evidence of the “unique or highly specialized” nature of the procurement. The user/customer typically provides this supporting information. Recommend attaching supporting documentation to the back of the document. General statements are not acceptable)*

FAR 8.405-6 (b)(2), “The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures.” The original order was not issued under sole source or limited source procedures. *(Provide details on the previously competed order and explain how this order is a logical follow-on to that order. Explain fully the connection between the previous work/order and the current one. The user/customer typically provides this supporting information. General statements are not acceptable)*

FAR 8.405-6 (b)(3), “An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays” *(Provide a detailed justification with supporting documentation that explains the exact urgency of the requirement and the schedule impact if time were to be taken to follow FSS ordering procedures. The user/customer typically provides this supporting information. Recommend attaching supporting documentation to the back of the document. General statements of urgency are not acceptable)*

FAR 8.405-6 (a) (2), “The item is peculiar to one manufacturer. A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer”. *(Brand name specifications should not be used unless the particular brand name, product or feature is essential to the Government’s requirements. Therefore, explain why the particular brand item is essential to the Government’s requirements, and why other companies’ similar items, or products lacking the particular feature, do not meet, or cannot meet, or cannot be modified to meet, the agency’s need. The user/customer typically provides this supporting information. General statements are not acceptable)*

V. Determination by the Ordering Activity Contracting Officer that the Order Represents the Best Value Consistent with FAR 8.404(d)

This section needs to be tailored based upon whether the order is for supplies/services not requiring a statement of work (FAR 8.405-1) or if the order is for services requiring a statement of work (FAR 8.405-2).

For FAR 8.405-1 orders the best value determination needs to be based upon the supply or service offered under MAS contracts by surveying at least three schedule contractors through the GSA Advantage! On-line shopping service or by reviewing the catalogs or pricelists of at least three schedule contractors. The ordering Contracting Officer’s review of the Contractor’s pricelist(s) and any price reductions sought is also required. (Contracting Officer should seek additional price discounts/concessions based on the specific order requirements on all orders over the micro-purchase threshold). In addition to price, when determining best value, the ordering activity may consider, among other factors, past performance, special features of the supply or service required for effective program performance, trade-in considerations, probable

life of the item selected as compared with that of a comparable item, warranty considerations, maintenance availability, environmental and energy efficiency considerations, and delivery terms.

*When an order contains brand name specifications, the Contracting Officer shall post the Request for Quote (RFQ) along with the basis of the justification as required by FAR 8.405-6 (post ONLY the basis of the justification, do **NOT** post the actual Justification and Approval document).*

For FAR 8.405-2 orders for services requiring a statement of work, FAR 8.405-2(d) requires that a price evaluation be performed. Therefore, the justification must address how the FAR 8.404(d) requirement for an evaluation of the proposed level of effort and mix of labor will be conducted and include a statement that the Contracting Officer will perform a price reasonableness determination as part of the best value determination.

VI. Description of the Market Research Conducted Among Schedule Holders and the Results Or a Statement of the Reason Market Research Was Not Conducted

Discuss market research that was conducted among schedule holders and the market research results that led to the conclusion to go sole source or to limit the number of schedule holders to be solicited. The narrative in this section should provide a high level of confidence that the requirements of [8.405-1](#) or [8.405-2](#) and DFARS 208.405-70 could not be met. (Note: Since DFARS 208.405-70 (c) has an additional fair notice/ fair opportunity requirement beyond that required by FAR 8.405-1 or 8.405-2 ,the justification should also include a reference to DFARS 208.405-70 (c)). If no market research was conducted, state so and provide the rationale.

VII. Other Facts Supporting the Justification

When [FAR 8.405-6\(b\)\(2\)](#) is cited for an follow-on acquisition as the basis for the justification, include an estimate of the cost that would be duplicated and the basis and derivation of the estimate, or provide details on why a delay to solicit additional schedule holders would be unacceptable. Though the FAR does not specifically address, DFARS 208.405-70 (b) (2) ties rationale for FAR Part 8.405(b)(2) justifications to FAR 16.505 (b)(2), which requires that substantial duplication of cost to the Government not expected to be recovered through competition and unacceptable delays in fulfilling the Government's requirements be addressed in the justification.

Since orders placed against Federal Supply Schedules are not considered DoD orders, Section 854 of the National Defense Authorization Act for FY2005 (P.L. 108-375) applies. Therefore, the justification should address how compliance with DFARS 217.78, Contracts or Delivery Orders issued by a Non DoD Agency, will be accomplished. (Note: DFARS 217.78 requires review and approval in accordance with agency procedures that the order is in the best interests of DoD). Also recommend stating whether the order will be a direct acquisition or an assisted acquisition.

Provide any other facts supporting the Limited Sources Justification.

VIII. Actions the Agency May Take to Remove or Overcome Any Barriers that Led to the Restricted Consideration Before Any Subsequent Acquisition For the Supplies or Services

Describe all efforts to be taken to remove or overcome any barriers that preclude the agency from meeting the requirements of FAR 8.405-1, FAR 8.405-2 and DFARS 208.405-70 (c) before any subsequent acquisition for the supplies or services is made. If no actions are planned, so state and provide reasons.

IX. Contracting Officer's Certification

The contracting officer's signature on the signature page evidences that he/she has determined this document to be both accurate and complete to the best of his/her knowledge and belief.

X. Technical/Requirements Personnel's Certification

As evidenced by their signatures on the signature page, the technical and/or requirements personnel have certified that any supporting data contained herein which is their responsibility is both accurate and complete.