

# **Subpart 1306.3 - Other Than Full and Open Competition**

**Parent topic:** [PART 1306 - COMPETITION REQUIREMENTS](#)

## **1306.302 Circumstances permitting other than full and open competition.**

### **1306.302-5 Authorized or required by statute.**

In accordance with Executive Order 13457, a sole source acquisition may not be justified on the basis of any earmark included in any non-statutory source, except when otherwise required by law or when an earmark meets the criteria for funding set out in Executive Order 13457.

### **1306.303 Justifications.**

#### **1306.303-70 Documentation and legal review of justifications.**

The justification for providing for other than full and open competition in accordance with FAR 6.303-2 shall be provided on Form CD-492, *Justification for Other than Full and Open Competition*. If the estimated value of the procurement is over legal review thresholds, concurrence by the Procurement Counsel is required.

#### **1306.304 Approval of the justification.**

The designee authorized to approve justifications for other than full and open competition at the dollar thresholds in FAR 6.304 is set forth in CAM 1301.70.